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80-2090, 9 VAC 5-80-2110 through 9 VAC 5-80-2140, 9 VAC 5-80-2180, and 9 VAC 5-80-2200 through 9 VAC 5-80-2240; adding 9 VAC 5-80-1605 through 9 VAC 5-80-1865, 9 VAC 5-80-1925 through 9 VAC 5-80-1995, 9 VAC 5-80-2091, and 9 VAC 5-80-2141 through 9 VAC 5-80-2144; repealing 9 VAC 5-80-1310 and 9 VAC 5-80-1700 through 9 VAC 5-80-1970). 2131

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CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED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printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2005 VAC Supplement includes final regulations published through *Virginia Register* Volume 21, Issue 24, dated August 8, 2005). 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 55-20-320	Amended	22:8 VA.R. 1174	3/15/06
Title 2. Agriculture			
2 VAC 5-20-10 through 2 VAC 5-20-40	Amended	22:11 VA.R. 1761-1764	3/10/06
Title 4. Conservation and Natural Resources			
4 VAC 3-10-10	Amended	22:5 VA.R. 706	12/14/05
4 VAC 3-10-20	Amended	22:5 VA.R. 707	12/14/05
4 VAC 3-10-30	Amended	22:5 VA.R. 707	12/14/05
4 VAC 3-10-40	Repealed	22:5 VA.R. 709	12/14/05
4 VAC 5-15-10	Amended	22:7 VA.R. 1000	1/11/06
4 VAC 5-15-40	Amended	22:7 VA.R. 1004	1/11/06
4 VAC 5-15-60	Amended	22:7 VA.R. 1004	1/11/06
4 VAC 5-15-80	Amended	22:7 VA.R. 1005	1/11/06
4 VAC 5-15-100	Amended	22:7 VA.R. 1005	1/11/06
4 VAC 5-15-110	Amended	22:7 VA.R. 1006	1/11/06
4 VAC 5-15-130	Repealed	22:7 VA.R. 1006	1/11/06
4 VAC 5-15-140	Amended	22:7 VA.R. 1006	1/11/06
4 VAC 5-15-150	Amended	22:7 VA.R. 1008	1/11/06
4 VAC 5-36-10	Amended	22:9 VA.R. 1367	2/8/06
4 VAC 5-36-20	Amended	22:9 VA.R. 1367	2/8/06
4 VAC 5-36-40 through 4 VAC 5-36-160	Amended	22:9 VA.R. 1367-1383	2/8/06
4 VAC 5-36-180 through 4 VAC 5-36-210	Amended	22:9 VA.R. 1384-1395	2/8/06
4 VAC 15-20-210	Added	22:6 VA.R. 888	1/1/06
4 VAC 15-30-40	Amended	22:6 VA.R. 888	12/1/05
4 VAC 15-90-293	Amended	22:6 VA.R. 891	11/1/05
4 VAC 15-380-70	Amended	22:6 VA.R. 891	3/1/06
4 VAC 15-380-71	Added	22:6 VA.R. 892	3/1/06
4 VAC 15-430-60	Amended	22:6 VA.R. 892	3/1/06
4 VAC 15-430-160	Amended	22:6 VA.R. 892	3/1/06
4 VAC 20-20-20	Amended	22:8 VA.R. 1183	12/1/05-12/30/05
4 VAC 20-20-20	Amended	22:10 VA.R. 1551	12/22/05
4 VAC 20-20-50	Amended	22:8 VA.R. 1183	12/1/05-12/30/05
4 VAC 20-20-50	Amended	22:10 VA.R. 1551	12/22/05
4 VAC 20-20-50 emer	Amended	22:10 VA.R. 1682	12/28/05-1/27/06
4 VAC 20-20-50	Amended	22:12 VA.R. 2033	1/27/06
4 VAC 20-70-30	Amended	22:4 VA.R. 575	12/1/05
4 VAC 20-70-70	Amended	22:4 VA.R. 575	12/1/05
4 VAC 20-70-140	Amended	22:4 VA.R. 576	12/1/05
4 VAC 20-80-30	Amended	21:25 VA.R. 3469	7/29/05
4 VAC 20-110-60	Amended	22:4 VA.R. 576	12/1/05
4 VAC 20-150-60	Amended	22:4 VA.R. 576	12/1/05
4 VAC 20-230-30	Amended	22:4 VA.R. 576	12/1/05
4 VAC 20-230-50	Amended	22:4 VA.R. 576	12/1/05
4 VAC 20-252-30 emer	Amended	22:4 VA.R. 627	9/29/05-10/28/05
4 VAC 20-252-30	Amended	22:7 VA.R. 1013	11/14/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-252-90	Amended	22:1 VA.R. 81	9/1/05
4 VAC 20-252-100	Amended	22:1 VA.R. 81	9/1/05
4 VAC 20-252-135	Amended	22:7 VA.R. 1013	11/14/05
4 VAC 20-252-160	Amended	22:7 VA.R. 1014	11/14/05
4 VAC 20-270-30	Amended	21:25 VA.R. 3469	7/29/05
4 VAC 20-310-15	Added	22:4 VA.R. 582	10/1/05
4 VAC 20-310-20	Amended	22:4 VA.R. 582	10/1/05
4 VAC 20-310-40	Amended	22:4 VA.R. 583	10/1/05
4 VAC 20-310-50	Amended	22:4 VA.R. 583	10/1/05
4 VAC 20-490-20	Amended	22:8 VA.R. 1113	12/1/05
4 VAC 20-490-40	Amended	22:8 VA.R. 1114	12/1/05
4 VAC 20-490-41	Added	22:8 VA.R. 1115	12/1/05
4 VAC 20-490-42	Added	22:8 VA.R. 1115	12/1/05
4 VAC 20-490-43	Added	22:8 VA.R. 1115	12/1/05
4 VAC 20-490-50	Amended	22:8 VA.R. 1115	12/1/05
4 VAC 20-490-60	Repealed	22:8 VA.R. 1115	12/1/05
4 VAC 20-530-10	Amended	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-20	Amended	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-23	Repealed	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-26	Repealed	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-29	Repealed	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-30	Amended	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-31	Added	22:12 VA.R. 2035	1/27/06
4 VAC 20-530-35	Repealed	22:12 VA.R. 2035	1/27/06
4 VAC 20-566-10 through 4 VAC 20-566-50 emer	Added	21:25 VA.R. 3552	8/16/05-9/14/05
4 VAC 20-566-10 through 4 VAC 20-566-50	Added	22:1 VA.R. 81-82	9/15/05
4 VAC 20-610-40	Amended	22:4 VA.R. 576	12/1/05
4 VAC 20-610-50	Amended	22:4 VA.R. 577	12/1/05
4 VAC 20-650-10 through 4 VAC 20-650-40 emer	Amended	22:4 VA.R. 628	10/1/05-10/30/05
4 VAC 20-650-20	Amended	22:6 VA.R. 893	10/28/05
4 VAC 20-670-20	Amended	22:4 VA.R. 577	12/1/05
4 VAC 20-670-30	Amended	21:25 VA.R. 3470	7/29/05
4 VAC 20-670-50	Amended	21:25 VA.R. 3470	7/29/05
4 VAC 20-720-20	Amended	22:4 VA.R. 584	10/1/05
4 VAC 20-720-40	Amended	22:4 VA.R. 585	10/1/05
4 VAC 20-720-40	Amended	22:10 VA.R. 1552	1/1/06
4 VAC 20-720-40 emer	Amended	22:12 VA.R. 2043	2/1/06-2/28/06
4 VAC 20-720-50	Amended	22:4 VA.R. 586	10/1/05
4 VAC 20-720-50	Amended	22:10 VA.R. 1552	1/1/06
4 VAC 20-720-50 emer	Amended	22:12 VA.R. 2043	2/1/06-2/28/06
4 VAC 20-720-60	Amended	22:4 VA.R. 586	10/1/05
4 VAC 20-720-70	Amended	22:4 VA.R. 586	10/1/05
4 VAC 20-720-70	Amended	22:8 VA.R. 1184	12/1/05-12/30/05
4 VAC 20-720-70	Amended	22:10 VA.R. 1553	1/1/06
4 VAC 20-720-75	Amended	22:4 VA.R. 587	10/1/05
4 VAC 20-720-75	Amended	22:10 VA.R. 1553	1/1/06
4 VAC 20-720-80	Amended	22:4 VA.R. 587	10/1/05
4 VAC 20-720-100	Amended	22:4 VA.R. 587	10/1/05
4 VAC 20-730-20	Repealed	22:4 VA.R. 577	12/1/05
4 VAC 20-751-20	Amended	22:6 VA.R. 893	11/1/05
4 VAC 20-890-25	Amended	22:4 VA.R. 577	12/1/05
4 VAC 20-900-25	Amended	22:10 VA.R. 1553	12/22/05
4 VAC 20-900-30	Amended	22:4 VA.R. 578	12/1/05
4 VAC 20-900-30	Amended	22:10 VA.R. 1554	12/22/05
4 VAC 20-910-45	Amended	22:8 VA.R. 1184	12/1/05-12/30/05
4 VAC 20-910-45	Amended	22:10 VA.R. 1555	12/30/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-920-30	Amended	22:4 VA.R. 578	12/1/05
4 VAC 20-920-40	Amended	22:4 VA.R. 578	12/1/05
4 VAC 20-950-46 emer	Amended	22:4 VA.R. 628	10/1/05-10/30/05
4 VAC 20-950-46	Amended	22:6 VA.R. 894	11/1/05
4 VAC 20-950-47 emer	Amended	22:10 VA.R. 1682	1/1/06-1/30/06
4 VAC 20-950-47	Amended	22:12 VA.R. 2035	2/1/06
4 VAC 20-950-48 emer	Amended	22:4 VA.R. 629	10/1/05-10/30/05
4 VAC 20-950-48	Amended	22:6 VA.R. 894	11/1/05
4 VAC 20-950-48 emer	Amended	22:10 VA.R. 1683	1/1/06-1/30/06
4 VAC 20-950-48	Amended	22:12 VA.R. 2035	2/1/06
4 VAC 20-950-48.2 emer	Added	22:4 VA.R. 629	10/1/05-10/30/05
4 VAC 20-950-48.2	Added	22:6 VA.R. 895	11/1/05
4 VAC 20-950-49 emer	Amended	22:4 VA.R. 630	10/1/05-10/30/05
4 VAC 20-950-49	Amended	22:6 VA.R. 895	11/1/05
4 VAC 20-1040-20	Amended	22:10 VA.R. 1555	1/1/06
4 VAC 20-1090-10 through 4 VAC 20-1090-40	Added	22:4 VA.R. 579-582	12/1/05
4 VAC 20-1090	Erratum	22:8 VA.R. 1198	--
4 VAC 25-10-90	Added	22:6 VA.R. 896	12/28/05
4 VAC 25-20 (Forms)	Amended	22:5 VA.R. 720	--
4 VAC 25-130-816.11	Amended	21:26 VA.R. 3706	8/10/05-8/9/06
4 VAC 25-130-816.64	Amended	21:26 VA.R. 3707	8/10/05-8/9/06
Title 6. Criminal Justice and Corrections			
6 VAC 20-190-10 through 6 VAC 20-190-200	Repealed	22:10 VA.R. 1556-1559	2/22/06
6 VAC 20-210-10 through 6 VAC 20-210-110	Repealed	22:10 VA.R. 1561-1562	2/22/06
6 VAC 20-220-20 through 6 VAC 20-220-80	Repealed	22:10 VA.R. 1559-1560	2/22/06
6 VAC 20-230-10 through 6 VAC 20-230-350	Added	21:26 VA.R. 3680-3691	10/5/05
6 VAC 20-230-160	Erratum	22:2 VA.R. 296	--
6 VAC 20-230-210	Erratum	22:2 VA.R. 296	--
6 VAC 20-240-10 through 6 VAC 20-240-120	Added	22:11 VA.R. 1764-1768	3/8/06
6 VAC 20-260-10 through 6 VAC 20-260-360 emer	Added	22:12 VA.R. 2044-2053	2/20/06-2/19/07
6 VAC 35-190-10 through 6 VAC 35-190-120 emer	Added	22:9 VA.R. 1423-1425	12/14/05-12/13/06
6 VAC 40-20-10 through 6 VAC 40-20-200	Added	22:10 VA.R. 1556-1559	2/22/06
6 VAC 40-30-10 through 6 VAC 40-30-80	Added	22:10 VA.R. 1559-1560	2/22/06
6 VAC 40-40-10 through 6 VAC 40-40-110	Added	22:10 VA.R. 1561-1562	2/22/06
Title 8. Education			
8 VAC 20-21-80	Amended	21:25 VA.R. 3471	9/22/05
8 VAC 20-21-90	Amended	21:25 VA.R. 3473	9/22/05
8 VAC 20-21-660	Amended	21:25 VA.R. 3473	9/22/05
8 VAC 20-21-680	Amended	21:25 VA.R. 3474	9/22/05
8 VAC 40-30	Repealed	22:6 VA.R. 925	11/8/05-11/7/06
8 VAC 40-31-10 through 8 VAC 40-31-320	Added	22:6 VA.R. 925-939	11/8/05-11/7/06
Title 9. Environment			
9 VAC 5-50-250	Amended	22:10 VA.R. 1563	2/22/06
9 VAC 5-50-270	Amended	22:10 VA.R. 1563	2/22/06
9 VAC 5-50-280	Amended	22:10 VA.R. 1564	2/22/06
9 VAC 5-50-400	Amended	22:4 VA.R. 588	12/1/05
9 VAC 5-60-60	Amended	22:4 VA.R. 588	12/1/05
9 VAC 5-60-90	Amended	22:4 VA.R. 588	12/1/05
9 VAC 5-60-100	Amended	22:4 VA.R. 588	12/1/05
9 VAC 5-80-1100	Amended	22:10 VA.R. 1564	2/22/06
9 VAC 5-80-1110	Amended	22:10 VA.R. 1565	2/22/06
9 VAC 5-80-1310	Repealed	22:10 VA.R. 1569	2/22/06
9 VAC 5-80-1605	Amended	22:10 VA.R. 1571	2/22/06
9 VAC 5-80-1615	Amended	22:10 VA.R. 1571	2/22/06
9 VAC 5-80-1625	Amended	22:10 VA.R. 1583	2/22/06

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-80-1635	Added	22:10 VA.R. 1583	2/22/06
9 VAC 5-80-1645	Added	22:10 VA.R. 1584	2/22/06
9 VAC 5-80-1655	Added	22:10 VA.R. 1584	2/22/06
9 VAC 5-80-1665	Added	22:10 VA.R. 1584	2/22/06
9 VAC 5-80-1675	Added	22:10 VA.R. 1584	2/22/06
9 VAC 5-80-1685	Added	22:10 VA.R. 1584	2/22/06
9 VAC 5-80-1695	Added	22:10 VA.R. 1584	2/22/06
9 VAC 5-80-1700	Repealed	22:10 VA.R. 1585	2/22/06
9 VAC 5-80-1705	Added	22:10 VA.R. 1585	2/22/06
9 VAC 5-80-1710	Repealed	22:10 VA.R. 1586	2/22/06
9 VAC 5-80-1715	Added	22:10 VA.R. 1586	2/22/06
9 VAC 5-80-1720	Repealed	22:10 VA.R. 1586	2/22/06
9 VAC 5-80-1725	Added	22:10 VA.R. 1586	2/22/06
9 VAC 5-80-1730	Repealed	22:10 VA.R. 1586	2/22/06
9 VAC 5-80-1735	Amended	22:10 VA.R. 1586	2/22/06
9 VAC 5-80-1740	Repealed	22:10 VA.R. 1587	2/22/06
9 VAC 5-80-1745	Added	22:10 VA.R. 1587	2/22/06
9 VAC 5-80-1750	Repealed	22:10 VA.R. 1587	2/22/06
9 VAC 5-80-1755	Added	22:10 VA.R. 1587	2/22/06
9 VAC 5-80-1760	Repealed	22:10 VA.R. 1587	2/22/06
9 VAC 5-80-1765	Amended	22:10 VA.R. 1587	2/22/06
9 VAC 5-80-1770	Repealed	22:10 VA.R. 1588	2/22/06
9 VAC 5-80-1775	Added	22:10 VA.R. 1588	2/22/06
9 VAC 5-80-1780	Repealed	22:10 VA.R. 1590	2/22/06
9 VAC 5-80-1785	Amended	22:10 VA.R. 1590	2/22/06
9 VAC 5-80-1790	Repealed	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1795	Added	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1800	Repealed	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1805	Added	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1810	Repealed	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1815	Added	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1820	Repealed	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1825	Amended	22:10 VA.R. 1591	2/22/06
9 VAC 5-80-1830	Repealed	22:10 VA.R. 1592	2/22/06
9 VAC 5-80-1835	Added	22:10 VA.R. 1592	2/22/06
9 VAC 5-80-1845	Added	22:10 VA.R. 1593	2/22/06
9 VAC 5-80-1855	Added	22:10 VA.R. 1596	2/22/06
9 VAC 5-80-1840	Repealed	22:10 VA.R. 1593	2/22/06
9 VAC 5-80-1850	Repealed	22:10 VA.R. 1596	2/22/06
9 VAC 5-80-1860	Repealed	22:10 VA.R. 1597	2/22/06
9 VAC 5-80-1865	Added	22:10 VA.R. 1597	2/22/06
9 VAC 5-80-1870 through 9 VAC 5-80-1920	Repealed	22:10 VA.R. 1602	2/22/06
9 VAC 5-80-1925	Added	22:10 VA.R. 1602	2/22/06
9 VAC 5-80-1930	Repealed	22:10 VA.R. 1603	2/22/06
9 VAC 5-80-1935	Added	22:10 VA.R. 1603	2/22/06
9 VAC 5-80-1940	Repealed	22:10 VA.R. 1603	2/22/06
9 VAC 5-80-1945	Added	22:10 VA.R. 1603	2/22/06
9 VAC 5-80-1950	Repealed	22:10 VA.R. 1604	2/22/06
9 VAC 5-80-1955	Added	22:10 VA.R. 1604	2/22/06
9 VAC 5-80-1960	Repealed	22:10 VA.R. 1604	2/22/06
9 VAC 5-80-1965	Added	22:10 VA.R. 1604	2/22/06
9 VAC 5-80-1970	Repealed	22:10 VA.R. 1604	2/22/06
9 VAC 5-80-1975	Added	22:10 VA.R. 1604	2/22/06
9 VAC 5-80-1985	Added	22:10 VA.R. 1605	2/22/06
9 VAC 5-80-1995	Added	22:10 VA.R. 1605	2/22/06
9 VAC 5-80-2000 through 9 VAC 5-80-2020	Amended	22:10 VA.R. 1605-1617	2/22/06

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9 VAC 5-80-2040 through 9 VAC 5-80-2070	Amended	22:10 VA.R. 1617-1620	2/22/06
9 VAC 5-80-2090	Amended	22:10 VA.R. 1620	2/22/06
9 VAC 5-80-2091	Added	22:10 VA.R. 1620	2/22/06
9 VAC 5-80-2110 through 9 VAC 5-80-2140	Amended	22:10 VA.R. 1621-1624	2/22/06
9 VAC 5-80-2141 through 9 VAC 5-80-2144	Added	22:10 VA.R. 1624-1634	2/22/06
9 VAC 5-80-2180	Amended	22:10 VA.R. 1634	2/22/06
9 VAC 5-80-2200 through 9 VAC 5-80-2240	Amended	22:10 VA.R. 1635-1637	2/22/06
9 VAC 10-10-10	Amended	22:5 VA.R. 709	12/14/05
9 VAC 10-10-20	Amended	22:5 VA.R. 710	12/14/05
9 VAC 10-10-30	Amended	22:5 VA.R. 710	12/14/05
9 VAC 20-80-60	Amended	21:26 VA.R. 3691	10/5/05
9 VAC 20-80-400	Amended	21:26 VA.R. 3694	10/5/05
9 VAC 20-80-480	Amended	21:26 VA.R. 3697	10/5/05
9 VAC 20-80-485	Amended	21:26 VA.R. 3698	10/5/05
9 VAC 20-80-485	Erratum	22:2 VA.R. 296	--
9 VAC 20-80-790	Amended	22:1 VA.R. 104	12/19/05
9 VAC 25-40-10	Amended	22:3 VA.R. 370	11/16/05
9 VAC 25-40-20	Repealed	22:3 VA.R. 370	11/16/05
9 VAC 25-40-25	Added	22:3 VA.R. 370	11/16/05
9 VAC 25-40-30	Amended	22:3 VA.R. 371	11/16/05
9 VAC 25-40-40	Amended	22:3 VA.R. 371	11/16/05
9 VAC 25-40-50	Amended	22:3 VA.R. 371	11/16/05
9 VAC 25-40-70	Added	22:3 VA.R. 371	11/16/05
9 VAC 25-110-10	Amended	22:4 VA.R. 595	11/30/05
9 VAC 25-110-20	Amended	22:4 VA.R. 595	11/30/05
9 VAC 25-110-60	Amended	22:4 VA.R. 596	11/30/05
9 VAC 25-110-70	Amended	22:4 VA.R. 596	11/30/05
9 VAC 25-110-80	Amended	22:4 VA.R. 597	11/30/05
9 VAC 25-115-10 through 9 VAC 25-115-50	Amended	22:9 VA.R. 1395	2/8/06
9 VAC 25-180-10 through 9 VAC 25-180-70	Repealed	22:4 VA.R. 605	11/30/05
9 VAC 25-193-10	Amended	22:9 VA.R. 1396	2/8/06
9 VAC 25-193-20	Amended	22:9 VA.R. 1396	2/8/06
9 VAC 25-193-40 through 9 VAC 25-193-70	Amended	22:9 VA.R. 1396	2/8/06
9 VAC 25-260-30	Amended	22:3 VA.R. 381	12/29/05
9 VAC 25-260-310	Amended	22:7 VA.R. 1015	1/12/06
9 VAC 25-260-310	Amended	22:11 VA.R. 1768	1/12/06
9 VAC 25-260-410	Amended	22:7 VA.R. 1017	1/12/06
9 VAC 25-260-410	Amended	22:11 VA.R. 1768	1/12/06
9 VAC 25-260-530	Amended	22:7 VA.R. 1018	1/12/06
9 VAC 25-260-530	Amended	22:11 VA.R. 1768	1/12/06
9 VAC 25-630-50	Amended	22:2 VA.R. 229	11/2/05
9 VAC 25-660-10	Erratum	22:12 VA.R. 2063	--
9 VAC 25-660-60	Erratum	22:12 VA.R. 2063	--
9 VAC 25-660-70	Erratum	22:12 VA.R. 2063	--
9 VAC 25-670-10	Erratum	22:12 VA.R. 2063	--
9 VAC 25-670-70	Erratum	22:12 VA.R. 2063	--
9 VAC 25-670-100	Erratum	22:12 VA.R. 2063	--
9 VAC 25-680-70	Erratum	22:12 VA.R. 2063	--
9 VAC 25-680-80	Erratum	22:12 VA.R. 2063	--
9 VAC 25-680-100	Erratum	22:12 VA.R. 2063	--
9 VAC 25-690-30	Erratum	22:12 VA.R. 2063	--
9 VAC 25-690-50	Erratum	22:12 VA.R. 2063	--
9 VAC 25-690-100	Erratum	22:12 VA.R. 2063	--
9 VAC 25-720-10	Amended	22:3 VA.R. 372	11/16/05
9 VAC 25-720-30	Amended	22:3 VA.R. 374	11/16/05
9 VAC 25-720-40	Amended	22:3 VA.R. 374	11/16/05

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9 VAC 25-720-50	Amended	22:2 VA.R. 236	11/2/05
9 VAC 25-720-50	Amended	22:3 VA.R. 376	11/16/05
9 VAC 25-720-50	Amended	22:6 VA.R. 896	12/28/05
9 VAC 25-720-60	Amended	22:7 VA.R. 1019	1/11/06
9 VAC 25-720-60	Erratum	22:12 VA.R. 2064	--
9 VAC 25-720-70	Amended	22:3 VA.R. 378	11/16/05
9 VAC 25-720-80	Amended	22:6 VA.R. 897	12/28/05
9 VAC 25-720-90	Amended	22:2 VA.R. 237	11/2/05
9 VAC 25-720-90	Amended	22:6 VA.R. 899	12/28/05
9 VAC 25-720-110	Amended	22:3 VA.R. 380	11/16/05
9 VAC 25-720-120	Amended	22:7 VA.R. 1021	1/11/06
9 VAC 25-720-120	Erratum	22:12 VA.R. 2064	--
9 VAC 25-720-130	Amended	22:2 VA.R. 238	11/2/05
9 VAC 25-720-130	Amended	22:6 VA.R. 900	12/28/05
9 VAC 25-750-10 through 9 VAC 25-750-50	Repealed	22:4 VA.R. 605	11/30/05
9 VAC 25-780-10 through 9 VAC 25-780-190	Added	22:2 VA.R. 238-246	11/2/05
9 VAC 25-780-30	Erratum	22:4 VA.R. 660	--
9 VAC 25-780-50	Erratum	22:4 VA.R. 660	--
9 VAC 25-780-90	Erratum	22:4 VA.R. 660	--
9 VAC 25-780-140	Erratum	22:4 VA.R. 660	--
9 VAC 25-810-10 through 9 VAC 25-810-70	Added	22:9 VA.R. 1396-1403	2/8/06
Title 10. Finance and Financial Institutions			
10 VAC 5-20-50	Added	22:3 VA.R. 383	9/30/05
10 VAC 5-200-80	Amended	22:11 VA.R. 1769	3/1/06
Title 11. Gaming			
11 VAC 10-20-240	Amended	22:11 VA.R. 1771	3/8/06
11 VAC 15-22-10 through 11 VAC 15-22-120	Amended	22:6 VA.R. 901-915	12/28/05
11 VAC 15-22-35	Added	22:6 VA.R. 906	12/28/05
11 VAC 15-31-10	Amended	22:6 VA.R. 915	1/1/06
11 VAC 15-31-20	Amended	22:6 VA.R. 917	1/1/06
11 VAC 15-31-30	Amended	22:6 VA.R. 919	1/1/06
11 VAC 15-31-50	Amended	22:6 VA.R. 922	1/1/06
11 VAC 15-31-60	Amended	22:6 VA.R. 922	1/1/06
Title 12. Health			
12 VAC 5-70-10 through 12 VAC 5-70-50 emer	Repealed	22:5 VA.R. 713	3/1/06-2/28/07
12 VAC 5-71-10 through 12 VAC 5-71-170 emer	Added	22:5 VA.R. 713-719	3/1/06-2/28/07
12 VAC 5-371-180	Amended	22:7 VA.R. 1023	1/11/06
12 VAC 5-371-210	Amended	22:7 VA.R. 1024	1/11/06
12 VAC 5-371-240	Amended	22:7 VA.R. 1024	1/11/06
12 VAC 5-371-300	Amended	22:7 VA.R. 1025	1/11/06
12 VAC 5-371-320	Amended	22:7 VA.R. 1025	1/11/06
12 VAC 5-371-340	Amended	22:7 VA.R. 1025	1/11/06
12 VAC 5-371-350	Repealed	22:7 VA.R. 1026	1/11/06
12 VAC 5-371-360	Amended	22:7 VA.R. 1026	1/11/06
12 VAC 5-371-370	Amended	22:7 VA.R. 1027	1/11/06
12 VAC 5-371-410	Amended	22:7 VA.R. 1027	1/11/06
12 VAC 5-371-425	Added	22:7 VA.R. 1028	1/11/06
12 VAC 5-371-430 through 12 VAC 5-371-560	Repealed	22:7 VA.R. 1028-1031	1/11/06
12 VAC 5-380	Repealed	22:3 VA.R. 388	1/1/06
12 VAC 5-381-10 through 12 VAC 5-381-360	Added	22:3 VA.R. 388-406	1/1/06
12 VAC 5-381-120	Erratum	22:4 VA.R. 659	--
12 VAC 5-410	Erratum	22:9 VA.R. 1445	--
12 VAC 5-410-260 through 12 VAC 5-410-290	Amended	22:8 VA.R. 1116-1117	1/25/06
12 VAC 5-410-340 through 12 VAC 5-410-390	Amended	22:8 VA.R. 1117-1119	1/25/06
12 VAC 5-410-442	Amended	22:8 VA.R. 1119	1/25/06

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12 VAC 5-410-444	Amended	22:8 VA.R. 1121	1/25/06
12 VAC 5-410-445	Amended	22:8 VA.R. 1125	1/25/06
12 VAC 5-410-450	Amended	22:8 VA.R. 1128	1/25/06
12 VAC 5-410-480	Amended	22:8 VA.R. 1128	1/25/06
12 VAC 5-410-490	Amended	22:8 VA.R. 1128	1/25/06
12 VAC 5-410-500	Amended	22:8 VA.R. 1128	1/25/06
12 VAC 5-410-510 through 12 VAC 5-410-640	Repealed	22:8 VA.R. 1129-1130	1/25/06
12 VAC 5-410-650	Amended	22:8 VA.R. 1130	1/25/06
12 VAC 5-410-655	Added	22:8 VA.R. 1130	1/25/06
12 VAC 5-410-660 through 12 VAC 5-410-710	Repealed	22:8 VA.R. 1131-1132	1/25/06
12 VAC 5-410-720	Amended	22:8 VA.R. 1132	1/25/06
12 VAC 5-410-730	Repealed	22:8 VA.R. 1132	1/25/06
12 VAC 5-410-740	Repealed	22:8 VA.R. 1132	1/25/06
12 VAC 5-410-750	Repealed	22:8 VA.R. 1132	1/25/06
12 VAC 5-410-760	Amended	22:8 VA.R. 1134	1/25/06
12 VAC 5-410-770 through 12 VAC 5-410-1140	Repealed	22:8 VA.R. 1134-1151	1/25/06
12 VAC 5-410-1250	Amended	22:8 VA.R. 1151	1/25/06
12 VAC 5-410-1260	Amended	22:8 VA.R. 1151	1/25/06
12 VAC 5-410-1290	Amended	22:8 VA.R. 1151	1/25/06
12 VAC 5-410-1310 through 12 VAC 5-410-1340	Repealed	22:8 VA.R. 1151-1152	1/25/06
12 VAC 5-410-1350	Amended	22:8 VA.R. 1152	1/25/06
12 VAC 5-410-1360	Repealed	22:8 VA.R. 1152	1/25/06
12 VAC 5-410-1370	Repealed	22:8 VA.R. 1153	1/25/06
12 VAC 5-410-1380	Amended	22:8 VA.R. 1153	1/25/06
12 VAC 5-410-1390 through 12 VAC 5-410-1420, Appendices A, B, and C	Repealed	22:8 VA.R. 1153-1154	1/25/06
12 VAC 5-500-10 through 12 VAC 5-500-350	Repealed	22:3 VA.R. 407	1/1/06
12 VAC 5-501-10 through 12 VAC 5-501-350	Added	22:3 VA.R. 407-413	1/1/06
12 VAC 30-30-60	Added	22:8 VA.R. 1185	1/1/06-12/31/06
12 VAC 30-40-10	Amended	22:8 VA.R. 1186	1/1/06-12/31/06
12 VAC 30-50-35	Added	22:8 VA.R. 1187	1/1/06-12/31/06
12 VAC 30-50-75	Added	22:8 VA.R. 1187	1/1/06-12/31/06
12 VAC 30-50-130	Amended	22:8 VA.R. 1155	1/25/06
12 VAC 30-50-530	Amended	22:8 VA.R. 1188	1/1/06-12/31/06
12 VAC 30-60-61	Amended	22:8 VA.R. 1157	1/25/06
12 VAC 30-80-30	Amended	22:8 VA.R. 1188	12/2/05-12/1/06
12 VAC 30-80-40	Amended	22:3 VA.R. 414	11/16/05
12 VAC 30-120-10 through 12 VAC 30-120-60	Repealed	22:10 VA.R. 1638	2/22/06
12 VAC 30-120-280	Amended	22:8 VA.R. 1178	4/3/06
12 VAC 30-120-370	Amended	22:8 VA.R. 1180	4/3/06
12 VAC 30-120-490 through 12 VAC 30-120-550	Repealed	22:10 VA.R. 1638	2/22/06
12 VAC 30-120-900 through 12 VAC 30-120-980	Added	22:10 VA.R. 1638-1661	2/22/06
12 VAC 30-120-1600 through 12 VAC 30-120-1660 emer	Added	22:2 VA.R. 255-261	9/14/05-9/13/06
12 VAC 30-130-860 through 12 VAC 30-130-890	Amended	22:8 VA.R. 1158-1163	1/25/06
12 VAC 30-141-10 emer	Amended	21:25 VA.R. 3553	8/1/05-7/31/06
12 VAC 30-141-10 emer	Amended	21:25 VA.R. 3561	8/1/05-7/31/06
12 VAC 30-141-40 emer	Amended	21:25 VA.R. 3555	8/1/05-7/31/06
12 VAC 30-141-100 emer	Amended	21:25 VA.R. 3555	8/1/05-7/31/06
12 VAC 30-141-100 emer	Amended	21:25 VA.R. 3563	8/1/05-7/31/06
12 VAC 30-141-120 emer	Amended	21:25 VA.R. 3564	8/1/05-7/31/06
12 VAC 30-141-150 emer	Amended	21:25 VA.R. 3564	8/1/05-7/31/06
12 VAC 30-141-160 emer	Amended	21:25 VA.R. 3557	8/1/05-7/31/06
12 VAC 30-141-170 emer	Repealed	21:25 VA.R. 3557	8/1/05-7/31/06
12 VAC 30-141-175 emer	Added	21:25 VA.R. 3559	8/1/05-7/31/06
12 VAC 30-141-200 emer	Amended	21:25 VA.R. 3560	8/1/05-7/31/06
12 VAC 30-141-660	Amended	22:8 VA.R. 1182	4/3/06

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12 VAC 30-141-810 through 12 VAC 30-141-1660 emer	Added	21:25 VA.R. 3566-3573	8/1/05-7/31/06
12 VAC 35-45-10	Amended	22:10 VA.R. 1684	12/30/05-12/29/06
12 VAC 35-45-25	Added	22:8 VA.R. 1191	12/2/05-12/1/06
12 VAC 35-45-70 emer	Amended	22:10 VA.R. 1685	12/30/05-12/29/06
12 VAC 35-45-80 emer	Amended	22:10 VA.R. 1685	12/30/05-12/29/06
12 VAC 35-45-210 emer	Added	22:10 VA.R. 1686	12/30/05-12/29/06
12 VAC 35-105-20 emer	Amended	22:10 VA.R. 1686	12/30/05-12/29/06
12 VAC 35-105-30 emer	Amended	22:10 VA.R. 1693	12/30/05-12/29/06
12 VAC 35-105-590 emer	Amended	22:10 VA.R. 1693	12/30/05-12/29/06
12 VAC 35-105-660 emer	Amended	22:10 VA.R. 1694	12/30/05-12/29/06
12 VAC 35-105-925	Added	22:8 VA.R. 1193	12/6/05-12/5/06
Title 13. Housing			
13 VAC 5-21-10 through 13 VAC 5-21-70	Amended	22:3 VA.R. 416-419	11/16/05
13 VAC 5-21-45	Added	22:3 VA.R. 418	11/16/05
13 VAC 5-21-61	Erratum	22:5 VA.R. 734	--
13 VAC 5-31-20	Amended	22:3 VA.R. 420	11/16/05
13 VAC 5-31-40	Amended	22:3 VA.R. 420	11/16/05
13 VAC 5-31-50	Amended	22:3 VA.R. 421	11/16/05
13 VAC 5-31-80	Amended	22:3 VA.R. 421	11/16/05
13 VAC 5-31-100	Amended	22:3 VA.R. 422	11/16/05
13 VAC 5-31-190	Amended	22:3 VA.R. 422	11/16/05
13 VAC 5-31-200	Added	22:3 VA.R. 422	11/16/05
13 VAC 5-31-210	Added	22:3 VA.R. 422	11/16/05
13 VAC 5-51-21	Amended	22:3 VA.R. 422	11/16/05
13 VAC 5-51-31	Amended	22:3 VA.R. 423	11/16/05
13 VAC 5-51-41	Amended	22:3 VA.R. 423	11/16/05
13 VAC 5-51-51	Amended	22:3 VA.R. 424	11/16/05
13 VAC 5-51-51	Erratum	22:5 VA.R. 734	--
13 VAC 5-51-61	Amended	22:3 VA.R. 425	11/16/05
13 VAC 5-51-81	Amended	22:3 VA.R. 425	11/16/05
13 VAC 5-51-91	Amended	22:3 VA.R. 432	11/16/05
13 VAC 5-51-121	Amended	22:3 VA.R. 433	11/16/05
13 VAC 5-51-130	Amended	22:3 VA.R. 434	11/16/05
13 VAC 5-51-131	Amended	22:3 VA.R. 434	11/16/05
13 VAC 5-51-132	Amended	22:3 VA.R. 435	11/16/05
13 VAC 5-51-133	Amended	22:3 VA.R. 435	11/16/05
13 VAC 5-51-133.5	Added	22:3 VA.R. 436	11/16/05
13 VAC 5-51-134	Added	22:3 VA.R. 436	11/16/05
13 VAC 5-51-135	Amended	22:3 VA.R. 436	11/16/05
13 VAC 5-51-135.5	Added	22:3 VA.R. 437	11/16/05
13 VAC 5-51-136	Repealed	22:3 VA.R. 437	11/16/05
13 VAC 5-51-145	Added	22:3 VA.R. 437	11/16/05
13 VAC 5-51-150	Amended	22:3 VA.R. 438	11/16/05
13 VAC 5-51-152	Added	22:3 VA.R. 442	11/16/05
13 VAC 5-51-154	Added	22:3 VA.R. 442	11/16/05
13 VAC 5-51-155	Amended	22:3 VA.R. 443	11/16/05
13 VAC 5-62-10 through 13 VAC 5-62-480	Repealed	22:3 VA.R. 444	11/16/05
13 VAC 5-63-10 through 13 VAC 5-63-550	Added	22:3 VA.R. 444-497	11/16/05
13 VAC 5-63-120	Erratum	22:5 VA.R. 734	--
13 VAC 5-63-210	Erratum	22:5 VA.R. 734	--
13 VAC 5-63-270	Erratum	22:5 VA.R. 734	--
13 VAC 5-63-300	Erratum	22:5 VA.R. 734	--
13 VAC 5-91-10	Amended	22:3 VA.R. 498	11/16/05
13 VAC 5-91-20	Amended	22:3 VA.R. 499	11/16/05
13 VAC 5-91-40	Amended	22:3 VA.R. 499	11/16/05
13 VAC 5-91-50	Amended	22:3 VA.R. 499	11/16/05

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13 VAC 5-91-70	Amended	22:3 VA.R. 499	11/16/05
13 VAC 5-91-80	Amended	22:3 VA.R. 499	11/16/05
13 VAC 5-91-90	Amended	22:3 VA.R. 499	11/16/05
13 VAC 5-91-110 through 13 VAC 5-91-220	Amended	22:3 VA.R. 499-501	11/16/05
13 VAC 5-91-245 through 13 VAC 5-91-270	Amended	22:3 VA.R. 502	11/16/05
13 VAC 5-112-10 through 13 VAC 5-112-560 emer	Added	22:4 VA.R. 630-649	9/30/05-9/29/06
13 VAC 6-20-10	Amended	22:10 VA.R. 1679	4/12/06
13 VAC 6-20-80	Amended	22:10 VA.R. 1680	4/12/06
13 VAC 6-20-120	Amended	22:10 VA.R. 1680	4/12/06
13 VAC 6-20-350	Amended	22:10 VA.R. 1680	4/12/06
13 VAC 10-160-10	Amended	22:7 VA.R. 1032	12/1/05
13 VAC 10-160-30	Amended	22:7 VA.R. 1033	12/1/05
13 VAC 10-160-55	Amended	22:7 VA.R. 1034	12/1/05
13 VAC 10-160-60	Amended	22:7 VA.R. 1034	12/1/05
13 VAC 10-160-80	Amended	22:7 VA.R. 1035	12/1/05
13 VAC 10-160-90	Amended	22:7 VA.R. 1035	12/1/05
13 VAC 10-180-10	Amended	22:9 VA.R. 1403	1/1/06
13 VAC 10-180-50	Amended	22:9 VA.R. 1404	1/1/06
13 VAC 10-180-60	Amended	22:9 VA.R. 1403	1/1/06
13 VAC 10-180-90	Amended	22:9 VA.R. 1415	1/1/06
Title 14. Insurance			
14 VAC 5-170-20 through 14 VAC 5-170-105	Amended	21:25 VA.R. 3477-3490	8/15/05
14 VAC 5-170-120	Amended	21:25 VA.R. 3490	8/15/05
14 VAC 5-170-130	Amended	21:25 VA.R. 3492	8/15/05
14 VAC 5-170-150	Amended	21:25 VA.R. 3493	8/15/05
14 VAC 5-170-150	Erratum	22:1 VA.R. 114	--
14 VAC 5-170-160	Amended	21:25 VA.R. 3525	8/15/05
14 VAC 5-170-190 Appendices A through D	Amended	21:25 VA.R. 3527-3548	8/15/05
Title 16. Labor and Employment			
16 VAC 15-21-20	Amended	22:4 VA.R. 606	12/1/05
16 VAC 15-21-30	Amended	22:4 VA.R. 606	12/1/05
Title 18. Professional and Occupational Licensing			
18 VAC 47-20-10 emer	Amended	21:25 VA.R. 3574	8/1/05-7/31/06
18 VAC 47-20-35 emer	Added	21:25 VA.R. 3575	8/1/05-7/31/06
18 VAC 47-20-70 emer	Amended	21:25 VA.R. 3575	8/1/05-7/31/06
18 VAC 47-20-70	Amended	22:6 VA.R. 923	1/1/06
18 VAC 47-20-140 emer	Amended	21:25 VA.R. 3575	8/1/05-7/31/06
18 VAC 47-20-140	Amended	22:6 VA.R. 923	1/1/06
18 VAC 47-20-240 emer	Repealed	21:25 VA.R. 3575	8/1/05-7/31/06
18 VAC 47-20-250 emer	Added	21:25 VA.R. 3576	8/1/05-7/31/06
18 VAC 47-20-260 emer	Added	21:25 VA.R. 3576	8/1/05-7/31/06
18 VAC 47-20-270 emer	Added	21:25 VA.R. 3576	8/1/05-7/31/06
18 VAC 50-22-10	Amended	22:8 VA.R. 1163	2/1/06
18 VAC 50-22-20	Amended	22:8 VA.R. 1164	2/1/06
18 VAC 50-22-30	Amended	22:8 VA.R. 1165	2/1/06
18 VAC 50-22-50	Amended	22:8 VA.R. 1168	2/1/06
18 VAC 50-22-60	Amended	22:8 VA.R. 1169	2/1/06
18 VAC 50-22-260	Amended	22:8 VA.R. 1169	2/1/06
18 VAC 50-22-270	Repealed	22:8 VA.R. 1171	2/1/06
18 VAC 60-20-10 emer	Amended	22:1 VA.R. 106	9/1/05-8/31/06
18 VAC 60-20-20 emer	Amended	22:1 VA.R. 107	9/1/05-8/31/06
18 VAC 60-20-71 emer	Amended	22:1 VA.R. 107	9/1/05-8/31/06
18 VAC 60-20-105 emer	Amended	22:1 VA.R. 107	9/1/05-8/31/06
18 VAC 60-20-106 emer	Amended	22:1 VA.R. 108	9/1/05-8/31/06
18 VAC 60-20-210 emer	Amended	22:1 VA.R. 108	9/1/05-8/31/06

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 60-20-230 emer	Amended	22:1 VA.R. 109	9/1/05-8/31/06
18 VAC 65-20-110	Amended	22:12 VA.R. 2036	3/22/06
18 VAC 65-40-40	Amended	22:12 VA.R. 2036	3/22/06
18 VAC 76-20-30 emer	Amended	21:25 VA.R. 3577	7/25/05-7/24/06
18 VAC 76-20-50 emer	Amended	21:25 VA.R. 3577	7/25/05-7/24/06
18 VAC 76-20-60 emer	Amended	21:25 VA.R. 3577	7/25/05-7/24/06
18 VAC 76-20-70 emer	Added	21:25 VA.R. 3578	7/25/05-7/24/06
18 VAC 85-20	Erratum	22:1 VA.R. 114	--
18 VAC 85-20-22	Amended	22:9 VA.R. 1418	2/8/06
18 VAC 85-20-25	Added	22:1 VA.R. 82	10/19/05
18 VAC 85-20-26	Added	22:1 VA.R. 83	10/19/05
18 VAC 85-20-27	Added	22:1 VA.R. 83	10/19/05
18 VAC 85-20-28	Added	22:1 VA.R. 83	10/19/05
18 VAC 85-20-29	Added	22:1 VA.R. 84	10/19/05
18 VAC 85-20-30	Amended	22:1 VA.R. 84	10/19/05
18 VAC 85-20-40	Amended	22:1 VA.R. 84	10/19/05
18 VAC 85-20-50	Amended	22:1 VA.R. 84	10/19/05
18 VAC 85-20-80	Amended	22:1 VA.R. 84	10/19/05
18 VAC 85-20-90	Amended	22:1 VA.R. 84	10/19/05
18 VAC 85-20-100	Amended	22:1 VA.R. 85	10/19/05
18 VAC 85-20-105	Amended	22:1 VA.R. 85	10/19/05
18 VAC 85-20-400 emer	Added	22:10 VA.R. 1695	12/21/05-12/20/06
18 VAC 85-20-410 emer	Added	22:10 VA.R. 1696	12/21/05-12/20/06
18 VAC 85-20-420 emer	Added	22:10 VA.R. 1696	12/21/05-12/20/06
18 VAC 85-40-35	Amended	22:9 VA.R. 1418	2/8/06
18 VAC 85-40-66	Amended	22:7 VA.R. 1036	1/11/06
18 VAC 85-40-85 through 18 VAC 85-40-91	Added	22:1 VA.R. 87-89	10/19/05
18 VAC 85-50-35	Amended	22:9 VA.R. 1419	2/8/06
18 VAC 85-50-175 through 18 VAC 85-50-184	Added	22:1 VA.R. 89-91	10/19/05
18 VAC 85-80-26	Amended	22:9 VA.R. 1419	2/8/06
18 VAC 85-80-120 through 18 VAC 85-80-125	Added	22:1 VA.R. 92-93	10/19/05
18 VAC 85-80-120 through 18 VAC 85-80-125	Erratum	22:4 VA.R. 659	--
18 VAC 85-101-25	Amended	22:9 VA.R. 1419	2/8/06
18 VAC 85-101-161 through 18 VAC 85-101-166	Added	22:1 VA.R. 94-95	10/19/05
18 VAC 85-110-35	Amended	22:9 VA.R. 1420	2/8/06
18 VAC 85-110-175 through 18 VAC 85-110-183	Added	22:1 VA.R. 95-98	10/19/05
18 VAC 85-120-50	Amended	22:2 VA.R. 254	12/17/05
18 VAC 85-120-150	Amended	22:9 VA.R. 1420	2/8/06
18 VAC 85-120-155 through 18 VAC 85-120-162	Added	22:1 VA.R. 98-100	10/19/05
18 VAC 85-130-10 through 18 VAC 85-130-170 emer	Added	22:10 VA.R. 1696-1700	12/21/05-12/20/06
18 VAC 90-20-30	Amended	22:12 VA.R. 2037	3/22/06
18 VAC 90-25-80	Amended	22:8 VA.R. 1171	1/25/06
18 VAC 90-25-80	Amended	22:12 VA.R. 2037	3/22/06
18 VAC 90-30-50	Amended	22:12 VA.R. 2038	3/22/06
18 VAC 90-40-70	Amended	22:12 VA.R. 2038	3/22/06
18 VAC 90-50-30	Amended	22:12 VA.R. 2038	3/22/06
18 VAC 105-20-5	Added	22:4 VA.R. 607	11/30/05
18 VAC 105-20-10	Amended	22:4 VA.R. 607	11/30/05
18 VAC 105-20-15	Amended	22:4 VA.R. 607	11/30/05
18 VAC 105-20-16	Added	22:4 VA.R. 608	11/30/05
18 VAC 105-20-20	Amended	22:4 VA.R. 608	11/30/05
18 VAC 105-20-70	Amended	22:4 VA.R. 608	11/30/05
18 VAC 105-30-10 through 18 VAC 105-30-120	Repealed	22:4 VA.R. 606	11/30/05
18 VAC 110-20-20	Amended	22:2 VA.R. 246	11/2/05
18 VAC 110-20-320	Amended	22:7 VA.R. 1037	1/11/06
18 VAC 110-30	Erratum	22:11 VA.R. 1953	--

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 110-30-10	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-15	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-20	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-30	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-35	Repealed	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-40	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-50	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-80	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-110	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-130	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-150	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-170 through 18 VAC 110-30-220	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-240	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-260	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-270	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 112-20-135	Amended	22:1 VA.R. 100	10/19/05
18 VAC 112-20-150	Amended	22:1 VA.R. 101	10/19/05
18 VAC 112-20-151	Repealed	22:1 VA.R. 101	10/19/05
18 VAC 115-20-20	Amended	22:2 VA.R. 249	1/14/06
18 VAC 115-20-106	Amended	22:12 VA.R. 2039	3/22/06
18 VAC 115-20-130	Amended	22:7 VA.R. 1039	1/11/06
18 VAC 115-20-140	Amended	22:7 VA.R. 1040	1/11/06
18 VAC 115-20-150	Amended	22:7 VA.R. 1041	1/11/06
18 VAC 115-30-30	Amended	22:2 VA.R. 250	1/21/06
18 VAC 115-50-96	Amended	22:12 VA.R. 2040	3/22/06
18 VAC 115-50-110	Amended	22:7 VA.R. 1041	1/11/06
18 VAC 115-50-120	Amended	22:7 VA.R. 1042	1/11/06
18 VAC 115-50-130	Amended	22:7 VA.R. 1043	1/11/06
18 VAC 115-60-116	Amended	22:12 VA.R. 2041	3/22/06
18 VAC 115-60-130	Amended	22:7 VA.R. 1043	1/11/06
18 VAC 115-60-140	Amended	22:7 VA.R. 1045	1/11/06
18 VAC 115-60-150	Amended	22:7 VA.R. 1045	1/11/06
18 VAC 120-40-40	Amended	22:11 VA.R. 1779	4/23/06
18 VAC 120-40-50	Amended	22:11 VA.R. 1779	4/23/06
18 VAC 125-20-30	Amended	22:11 VA.R. 1772	3/8/06
18 VAC 125-30-20	Amended	22:11 VA.R. 1773	3/8/06
18 VAC 140-20-30	Amended	22:9 VA.R. 1420	2/8/06
18 VAC 150-20-100	Amended	21:26 VA.R. 3701	10/5/05
Title 19. Public Safety			
19 VAC 30-20-40	Amended	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-80	Amended	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-205	Added	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-220	Amended	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-250	Amended	22:10 VA.R. 1663	3/1/06
Title 20. Public Utilities and Telecommunications			
20 VAC 5-313-10 through 20 VAC 5-313-40	Added	22:11 VA.R. 1775-1777	1/5/06
20 VAC 5-400-80	Repealed	22:4 VA.R. 612	11/1/05
20 VAC 5-427-10	Erratum	22:1 VA.R. 114	--
20 VAC 5-427-10 through 20 VAC 5-427-170	Added	22:4 VA.R. 613-625	11/1/05
20 VAC 5-427-100	Erratum	22:1 VA.R. 114	--
20 VAC 5-427-110	Erratum	22:1 VA.R. 114	--
20 VAC 5-427-130	Erratum	22:1 VA.R. 114	--
Title 22. Social Services			
22 VAC 40-71-10 emer	Amended	22:2 VA.R. 261	12/28/05-12/27/06
22 VAC 40-71-50 emer	Amended	22:2 VA.R. 266	12/28/05-12/27/06

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-71-55 emer	Added	22:2 VA.R. 266	12/28/05-12/27/06
22 VAC 40-71-60 emer	Amended	22:2 VA.R. 267	12/28/05-12/27/06
22 VAC 40-71-65 emer	Added	22:2 VA.R. 269	12/28/05-12/27/06
22 VAC 40-71-80 emer	Amended	22:2 VA.R. 269	12/28/05-12/27/06
22 VAC 40-71-120 emer	Amended	22:2 VA.R. 270	12/28/05-12/27/06
22 VAC 40-71-130 emer	Amended	22:2 VA.R. 270	12/28/05-12/27/06
22 VAC 40-71-150 emer	Amended	22:2 VA.R. 270	12/28/05-12/27/06
22 VAC 40-71-400 emer	Amended	22:2 VA.R. 274	12/28/05-12/27/06
22 VAC 40-71-485 emer	Added	22:2 VA.R. 277	12/28/05-12/27/06
22 VAC 40-71-485	Erratum	22:4 VA.R. 659	--
22 VAC 40-71-630 emer	Amended	22:2 VA.R. 278	12/28/05-12/27/06
22 VAC 40-71-630	Erratum	22:4 VA.R. 660	--
22 VAC 40-71-650 emer	Amended	22:2 VA.R. 279	12/28/05-12/27/06
22 VAC 40-71-660 emer	Repealed	22:2 VA.R. 280	12/28/05-12/27/06
22 VAC 40-71-670 emer	Amended	22:2 VA.R. 280	12/28/05-12/27/06
22 VAC 40-71-700 emer	Amended	22:2 VA.R. 281	12/28/05-12/27/06
22 VAC 40-80-120 emer	Amended	22:2 VA.R. 285	12/28/05-12/27/06
22 VAC 40-80-340 emer	Amended	22:2 VA.R. 286	12/28/05-12/27/06
22 VAC 40-80-345 emer	Added	22:2 VA.R. 287	12/28/05-12/27/06
22 VAC 40-141-20	Amended	22:10 VA.R. 1664	2/22/06
22 VAC 40-141-30	Amended	22:10 VA.R. 1664	2/22/06
22 VAC 40-141-80 through 22 VAC 40-141-90	Amended	22:10 VA.R. 1664-1666	2/22/06
22 VAC 40-141-110 through 22 VAC 40-141-210	Amended	22:10 VA.R. 1666-1672	2/22/06
22 VAC 40-730-10	Amended	22:2 VA.R. 251	11/2/05
22 VAC 40-730-115	Amended	22:2 VA.R. 252	11/2/05
22 VAC 40-730-115	Amended	22:9 VA.R. 1421	2/8/06
Title 24. Transportation and Motor Vehicles			
24 VAC 30-121-10 through 24 VAC 30-121-40	Added	22:10 VA.R. 1672-1676	2/22/06

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

CRIMINAL JUSTICE SERVICES BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Criminal Justice Services Board intends to consider promulgating regulations entitled **6 VAC 20-260, Regulations Relating to Bail Enforcement Agents**. The purpose of the proposed action is to promulgate regulations for bail enforcement agents. The regulation establishes a license process and fees, compulsory minimum entry-level training standards, and administration of the regulatory system.

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

Statutory Authority: §§ 9.1-102 and 9.1-186.2 of the Code of Virginia.

Public comments may be submitted until March 22, 2006.

Contact: Lisa McGhee, Regulatory Program Manager, Department of Criminal Justice Services, 202 N. 9th St., Richmond, VA 23219, telephone (804) 371-2419, FAX (804) 786-6344 or e-mail lisa.mcghee@dcjs.virginia.gov.

VA.R. Doc. No. R06-182; Filed January 31, 2006, 10:56 a.m.

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled **8 VAC 20-40, Regulations Governing Educational Services for Gifted Students**. The Regulations Governing Educational Services for Gifted Students were last approved in 1993, with an effective date of February 1995. The regulations specify what gifted education services school divisions in the Commonwealth of Virginia shall provide students from kindergarten through graduation. The regulations speak to the areas of giftedness to be served, the identification of students in the selected areas of service, the criteria for screening and identification, the components of the local plan that each division must have approved by the Department of Education, the assurances the school division must provide to the

department regarding elements within the local plan, and provisions of use of state funds designated for divisionwide gifted education services. The proposed revisions will allow the Virginia Board of Education to review contemporary research and best practices in the field that have occurred in the last decade and to ensure that Virginia's regulations are consistent with that information.

Statutory Authority: §§ 22.1-16 and 22.1-253.13:1 of the Code of Virginia.

Public comments may be submitted until March 8, 2006.

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 margaret.roberts@doe.virginia.gov.

VA.R. Doc. No. R06-163; Filed January 10, 2006, 11:27 a.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to consider amending regulations entitled **12 VAC 5-600, Waterworks Operation Fee**. The purpose of the proposed action is to remove an exemption and increase the maximum waterworks operation fee allowed.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the *Virginia Register*.

Statutory Authority: §§ 32.1-12 and 32.1-171.1 of the Code of Virginia.

Public comments may be submitted until March 24, 2006.

Contact: Thomas Gray, P.E., Director of Construction Assistance/Planning, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7501, FAX (804) 864-7521 or e-mail tom.gray@vdh.virginia.gov.

VA.R. Doc. No. R06-186; Filed January 31, 2006, 2:31 p.m.

Notices of Intended Regulatory Action

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF MEDICINE

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled **18 VAC 85-120, Regulations Governing the Licensure of Athletic Trainers**. The purpose of the proposed action is to further specify the supervisory responsibilities of licensed athletic trainers for persons with provisional authorization to practice.

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

Statutory Authority: §§ 54.1-2400 and 54.1-2957.4 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on April 5, 2006.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943 or e-mail william.harp@dhp.virginia.gov.

VA.R. Doc. No. R06-197; Filed February 15, 2006, 10:28 a.m.

BOARD OF PHARMACY

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Pharmacy intends to consider amending regulations entitled **18 VAC 110-40, Regulations Governing Collaborative Practice Agreements**. The purpose of the proposed action is to clarify certain provisions and modify others that may discourage the use of collaborative practice agreements.

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

Statutory Authority: §§ 54.1-2400, 54.1-3300 and 54.1-3300.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on April 5, 2006.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313 or e-mail elizabeth.russell@dhp.virginia.gov.

VA.R. Doc. No. R06-198; Filed February 15, 2006, 10:28 a.m.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Professional and Occupational Regulation intends to consider amending regulations entitled **18 VAC 120-30, Regulations Governing Polygraph Examiners**. The purpose of the proposed action is to increase the fees for polygraph examiners and polygraph examiner interns.

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

Statutory Authority: §§ 54.1-113 and 54.1-1802 of the Code of Virginia.

Public comments may be submitted until March 22, 2006.

Contact: Eric Olson, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474 or e-mail eric.olson@dpor.virginia.gov.

VA.R. Doc. No. R06-177; Filed January 23, 2006, 2:32; p.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 8. EDUCATION

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Titles of Regulations: **8 VAC 40-30. Regulations Governing the Approval of Certain Institutions to Confer Degrees, Diplomas and Certificates (REPEALED).**

8 VAC 40-31. Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates (adding 8 VAC 40-31-10 through 8 VAC 40-31-320).

Statutory Authority: § 23-276.3 of the Code of Virginia.

Public Hearing Date: April 10, 2006 - 1 p.m.

Public comments may be submitted until May 8, 2006.

(See Calendar of Events section for additional information)

Agency Contact: Linda H. Woodley, Coordinator, Private and Out-of-State Postsecondary Education, State Council of Higher Education for Virginia, 101 N. 14th Street, James Monroe Building, Richmond, VA 23219, telephone (804) 371-2938, FAX (804) 786-2027, or e-mail lindawoodley@schev.edu.

Basis: The State Council of Higher Education for Virginia is granted explicit authority by § 23-276.3 of the Code of Virginia to promulgate regulations necessary to implement the provisions of Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia. Section 23-276.3 states: "The Council's regulations shall include, but need not be limited to, (i) procedures by which a school may apply for Council approval to confer degrees in Virginia; (ii) measures designed to ensure that all postsecondary schools that are subject to the provisions of this chapter meet minimal academic standards; (iii) protections for students pursuing postsecondary education opportunities in schools subject to the provisions of this chapter; and (iv) information to assist persons who rely on postsecondary degrees, diplomas, and certificates in judging the competence of individuals."

In addition, Chapter 991 of the 2004 Acts of Assembly repealed Chapter 16 (§ 22.1-319 et seq.) of Title 22.1 of the Code of Virginia, which granted authority to the Virginia Board of Education to regulate proprietary schools, and granted it to the State Council of Higher Education for Virginia. Regulations of these proprietary schools are incorporated into 8 VAC 40-31.

Purpose: This regulation is needed to replace emergency regulations of the same number, which was a result of legislation passed by the 2004 Session of the General Assembly. It provides the State Council of Higher Education for Virginia with regulatory oversight for institutions of higher education and career-technical schools and provides

standards of operations for both school sectors. The goal of this regulation is to provide clear and concise guidelines for the regulated communities, thereby protecting the health, safety and welfare of those students including those career-technical schools previously regulated by the Board of Education. All postsecondary schools seeking to operate in Virginia require council certification. This regulations will be the primary document the council uses to administer the certification process.

Substance: These regulations replace the previous regulations, 8 VAC 40-30, used by the State Council of Higher Education for Virginia regulating institutions of higher education and replace 8 VAC 20-350, used by the Board of Education to regulate proprietary schools. The new regulation offers a single source of regulations for institutions of higher education and career-technical schools, with oversight by the State Council of Higher Education for Virginia, as required by Chapter 991 of the 2004 Acts of Assembly.

Issues: This regulation will provide postsecondary schools with a set of specific and clearly defined criteria to confer degrees, degree credit, certificates and diplomas in the Commonwealth of Virginia. Virginia students will benefit from the increased protection of their loans and cash payments. School will be required to provide surety for all student payments via loan or cash where classroom instruction has not been delivered. The council staff will conduct random and trigger audits of schools to ensure adherence to standards established in the regulations.

The regulations include a requirement that career-technical schools submit an increased administrative fee than they paid to the Board of Education. While this annual certification renewal fee is increased, it eliminates a number of individual fees the schools were charged for certain actions taken throughout the year, such as a change of location (\$100), addition of programs (\$100), program deletion (\$50), addition of branch campus (\$100), revised program review and approval/program name change (\$50), extension classroom/additional space approval (\$50), and catalog review (\$50). The use of the surety instrument also eliminates the previous requirement of career-technical schools making an annual payment to the Student Tuition Guaranty Fund.

There are no disadvantages to SCHEV or the Commonwealth of Virginia in the issuing of these regulations.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 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

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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 State Council of Higher Education for Virginia (SCHEV) proposes to promulgate regulations to administer the certification of private and out-of-state postsecondary schools.¹ The proposed regulation combines the previous regulations used by SCHEV regulating institutions of higher education (8 VAC 40-30) and the regulations used by the Board of Education to regulate the career-technical schools² (8 VAC 20-350), and will replace the current emergency regulation (8 VAC 40-31) effective since November 2004. Major changes include:

1. The initial fee for certification will be increased from \$300 to \$2500 for all new career-technical schools.
2. The renewal fee structure for career-technical schools, which was \$150 plus 0.1% of gross tuition receipts for the prior assessment year, will be changed. The renewal fees will be \$500 for schools with gross tuition equal or less than \$50,000; \$1,000 for schools with gross tuition between \$50,000 and \$100,000; \$1,500 for schools with gross tuition between \$100,000 and \$150,000; and \$2,500 for schools with gross tuition above \$150,000.
3. The annual payment to the Student Tuition Guaranty Fund (STGF) will be eliminated.
4. Some individual fees will be eliminated for certain actions such as change of location (\$100), addition of programs (\$100), program deletion (\$50), addition of branch campus (\$100), revised program review and approval/program name change (\$50), extension classroom/additional space approval (\$50), and catalog review (\$50).
5. Career-technical schools offering exclusively religious instruction will continue to be exempted by the proposed regulation, but they need to apply to continue the exemption every five years if the exemption is granted after July 1, 2002.

Estimated economic impact. Chapter 991 of the 2004 Acts of Assembly, which became effective on July 1, 2004, repealed the authority of the Virginia Board of Education to regulate the proprietary schools and granted it to SCHEV. The proposed regulation will be used to administer the certification of all postsecondary schools including institutions of higher education and career-technical schools.

The proposed regulation will increase the initial fee for certification from \$300 to \$2500 for all new career-technical schools. According to SCHEV, there have been 29 new certification applications since July 1, 2004. Supposing that there will be approximately 10 new certification applications in

each fiscal year, the increased cost for applicants due to this proposed regulatory change will be \$22,000 statewide in each fiscal year.

The proposed regulation will also change the renewal fee structure for the career-technical schools. The previous fees for renewal of certificate were \$150 plus 0.1% of gross tuition receipts for the prior assessment year. Under the new structure, the renewal fees will be

- \$500 if Gross Tuition ≤ \$50,000;
- \$1,000 if Gross Tuition > \$50,000 and ≤ \$100,000;
- \$1,500 if Gross Tuition > \$100,000 and ≤ \$150,000;
- \$2,500 if Gross Tuition > \$150,000.

Although the proposed renewal fees are lower than those in the current emergency regulation, compared to the previous Board of Education regulation (8 VAC 20-350), the annual renewal fees will be significantly raised for most of the small career-technical schools while be reduced for some of the biggest ones.

Table 1 lists the gross tuition of the career-technical schools and their renewal fees under different regulations.³ The gross tuition in FY 2005 (Column 2), the renewal fees in FY 2006 under the current emergency regulation (Column 3) and the estimated renewal fee in FY 2007 based on the proposed regulation (Column 4) are provided by SCHEV.^{4,5} The 5th column shows the renewal fees that would have been charged under the Board of Education regulation, which is \$150 plus 0.1% of gross tuition.⁶ Compared with column 5, the proposed renewal fees in FY 2007 (column 4) will drop significantly for the two biggest career-technical schools while increase for the other 114 schools. For example, the largest school, whose gross tuition in FY 2005 was more than \$12 million, will have its annual renewal fee dropped from \$12,688 to \$2,500. While the second largest, which had a gross tuition of about \$6 million and used to pay about \$6,149, will need to pay only \$2,500 each year. However, the renewal fees will increase for all of the other schools. Approximately 40 schools will have their renewal fees doubled, 20 will see their fees tripled, and 40 schools will have to pay more than four times as much as what they would otherwise under the Board of Education regulation. As an example, a small school which had a gross tuition of \$203,497 in FY 2005 and would pay \$353 annually under the previous regulation will have to pay \$2,500 every year according to the proposed regulation, with a rate of increase of more than 500%. Approximately, the total renewal fees gathered from the 116 schools will increase from \$71,407 to \$178,500.

On the other hand, the proposed regulation will eliminate the annual payment to the Student Tuition Guaranty Fund, which is calculated based on the gross tuition of the previous

¹ Postsecondary schools include institutions of higher education and noncollege degree schools. Noncollege degree schools may be academic-career-technical or career-technical schools.

² Chapter 991 of the 2004 Acts of Assembly, which was enacted on July 1, 2004, repealed the authority of the Virginia Board of Education of regulating the proprietary schools and granted it to SCHEV.

³ The names of the schools are deleted for privacy.

⁴ For some of the career-technical schools, the gross tuition in FY 2005 is not available from SCHEV and is replaced with either the upper limit or the average of the category. See the note of Table 1.

⁵ The proposed regulation has lowered the renewal fees for some schools compared to the fees required in the emergency regulation.

⁶ These are not the actual renewal fees paid in the previous fiscal years because the gross tuition used to calculate the fees are those in FY 2005.

assessment year, while keeping the requirement on guaranty instruments.⁷ According to 8 VAC 20-350-490, the Student Tuition Guaranty Fund was created and maintained in order to reimburse tuition and fees due students when the institution ceases to operate. Each institution granted a certificate to operate shall pay into the fund the amount set forth based on the previous assessment year's operation.⁸ The proposed regulation will eliminate the payment into STGF, resulting in cost savings for the schools which range from \$200 to \$14,538 as shown in the 6th column of Table 1.⁹ For example, the biggest school, with a gross tuition of more than \$12 million, will save \$14,538 from this regulatory change. A small school that had a gross tuition of \$203,497 in FY 2005 will save \$500 annually. The total saved costs for the 116 schools is approximately \$88,050.

The proposed regulation will also eliminate some individual fees for certain actions such as change of location (\$100), addition of programs (\$100), program deletion (\$50), addition of branch campus (\$100), revised program review and approval/program name change (\$50), extension classroom/additional space approval (\$50), and catalog review (\$50). Elimination of these fees will reduce costs for schools taking these actions, but since these actions do not often occur, the statewide reduced costs will be moderate.

Career-technical schools that offer exclusively religious instruction will continue to be exempted by the proposed regulation. However, the proposed regulation states that the exemptions granted after July 1, 2002, are valid for only five years at which time the school must apply to continue the exemption. Therefore, each school will incur a \$300 application fee every five years, which results in an increased cost of \$60 annually if the \$300 is spread evenly among the five years. According to SCHEV, currently there are 105 religious exempt schools, thus the total increased cost will be approximately \$6,300 statewide every year.

In sum, the proposed regulation will increase the initial certification fees and cause an increased cost of \$22,000 for new career-technical schools seeking certification. Requirement of reapplication for exemption every five years will result in an increased cost of \$6,300 annually for the religious exempt schools statewide. For the existing career-technical schools that are already certified to operate, the change of renewal fee structure will reduce renewal fees for the two biggest schools while increasing renewal fees for the other 114 schools. Approximately, the total renewal fees gathered from the 116 schools will increase by \$107,093.¹⁰ On the other hand, elimination of annual payment into STGF will save costs for both new schools and existing schools, with an estimated total cost savings of \$88,050. Thus, the net increased cost from the new renewal fee structure and the elimination of payment into STGF will be \$19,044.

However, this \$19,044 is unevenly distributed among the career-technical schools and the proposed regulation places a disproportionate burden on the smaller ones. The new renewal fee structure and the elimination of payment into STGF will reduce fees for the eight biggest schools while increasing fees for the 108 smaller ones. The 10th column of Table 2 shows the net increased cost from the new renewal fee structure and the elimination of payment into STGF for the eight biggest schools and the 20 smallest schools.¹¹ The eight biggest schools benefit from the proposed regulatory change with saved costs ranging from \$392 to \$24,727. For example, the biggest school, whose gross tuition in FY 2005 exceeded \$12 million, will save \$24,727. And the second largest, which had a gross tuition of about \$6 million, will save \$11,649. The reduced fees for these big schools will reduce their costs and commensurately increase their profits. On the other hand, the other 108 schools will have their fees increased by \$20-\$1,795. As shown in Table 2, the 20 smallest schools will have to pay more than a thousand dollars more. The smallest one, which had a gross tuition of \$155,335 in FY 2005 and used to pay \$305 renewal fees plus \$705 to STGF, will have to pay \$2,500 renewal fee according to the proposed regulation, resulting in an increase in cost of \$1,795. Another small school, with a gross tuition of \$226,280 in FY 2005, will have to pay \$1,624 more due to the proposed regulatory change. The increase in fees may raise costs and commensurately reduce profits for the smaller career-technical schools.

Businesses and entities affected. The proposed regulation will affect the new career-technical schools seeking a certificate to operate by increasing the initial certificate fees from \$300 to \$2,500. All of the 116 existing schools will be affected by the new renewal fee structure and elimination of payment into STGF. Overall the proposed regulatory change will reduce fees for the eight biggest schools and increase their profit. For the other 108 schools, the proposed change will increase fees and raise their costs and thus reduce their profit or even cause losses.

Localities particularly affected. The proposed regulation affects localities throughout the Commonwealth.

Projected impact on employment. The proposed regulation may have a small negative impact on employment for the 108 smaller schools. The increase in costs will reduce their profits and result in a small number of people being laid off. For the eight biggest schools, the reduced cost will increase their profits and may have a small positive impact on their employment.

Effects on the use and value of private property. The proposed regulation will have a negative impact on the use and value of private properties for the 108 smaller schools because of the increased costs and reduced profits. On the other hand, the proposed regulation will reduce costs and raise profits for the eight biggest schools and therefore will have a positive impact on the use and value of their properties.

⁷ 8VAC 20-350-480 lists the schedule for payment into the STGF.

⁸ New schools would pay an initial fee of \$150 upon receipt of its Certificate to Operate.

⁹ According to the Board of Education, the payment into STGF had been mistakenly waived for many schools since a few years ago but would have been re-charged by the Board of Education if not for the transition of authority.

¹⁰ Calculation: \$107,093 = \$178,500 - \$71,407.

¹¹ The names of the schools are deleted for privacy.

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Small businesses: costs and other effects. The proposed renewal fee structure places a disproportionate burden on the smaller schools by reducing costs for bigger schools while increasing costs for the smaller ones. Considering the gross tuition in FY 2005, all of the schools except the biggest one are small businesses.¹² Among them, only five to six schools will have their fees reduced, the other small schools will be negatively affected by the combination of the new renewal fee structure and elimination of payment into STGF. The increase in fees will raise their costs and reduce their profit or even cause losses. The proposed regulation will also increase costs for small career-technical schools that seek initial certification to operate by increasing the initial certificate fees from \$300 to \$2,500.

Small businesses: alternative method that minimizes adverse impact. An alternative could be a different fee structure that would spread the increased renewal fee more evenly among the schools while keeping the total fees at a similar level. However, according to SCHEV, since each higher education institution pays up to \$2,500 renewal fee annually, it is not reasonable to have a fee structure that charges more than \$2,500 renewal fees for a career-technical school.

Table 1. Gross Tuition, Renewal Fees and Payment to the Student Tuition Guaranty Fund of the Career Schools.

School Number	Gross Tuition (FY 2005) ^a	Renewal Fee (FY 2006) ^b	Estimated Renewal Fee (FY 2007) ^c	Fees under Board of Education Regulation ^d	Payment to STGF ^e	Renewal Fee plus Payment to STGF ^d
1	18,365	1,500	500	168	200	368
2	50,000	1,500	500	200	250	450
3	20,696	1,500	500	171	200	371
4	14,360	1,500	500	164	200	364
5	30,000	1,500	500	180	250	430
6	20,276	1,500	500	170	200	370
7	33,000	1,500	500	183	250	433
8	19,779	1,500	500	170	200	370
9	22,750	1,500	500	173	200	373
10	47,911	2,500	500	198	250	448
11	23,835	1,500	500	174	200	374
12	38,482	1,500	500	188	250	438
13	27,014	1,500	500	177	250	427
14	14,334	1,500	500	164	200	364
15	24,000	1,500	500	174	200	374
16	13,400	1,500	500	163	200	363
17	14,039	1,500	500	164	200	364
18	22,963	1,500	500	173	200	373
19	9,821	2,500	500	160	200	360
20	50,000	1,500	500	200	250	450
21	50,000	1,500	500	200	250	450
22	50,000	1,500	500	200	250	450
23	25,487	No Pmt	500	175	250	425
24	50,000	2,500	500	200	250	450
25	50,000	2,500	500	200	250	450
26	50,000	1,500	500	200	250	450
27	50,000	2,500	500	200	250	450
28	20,000	2,500	500	170	200	370
29	50,000	No Pmt	500	200	250	450
30	50,000	1,500	500	200	250	450
31	18,500	1,500	500	169	200	369
32	50,000	No Pmt	500	200	250	450
33	50,000	1,500	500	200	250	450
34	50,000	2,500	500	200	250	450
35	60,200	1,500	1,000	210	300	510
36	50,352	1,500	1,000	200	300	500
37	68,756	1,500	1,000	219	300	519
38	57,463	1,500	1,000	207	300	507

39	77,579	1,500	1,000	228	300	528
40	69,700	1,500	1,000	220	300	520
41	82,682	1,500	1,000	233	300	533
42	95,864	1,500	1,000	246	300	546
43	89,894	2,500	1,000	240	300	540
44	97,000	2,500	1,000	247	300	547
45	100,000	1,500	1,000	250	300	550
46	150,000	1,500	1,500	300	400	700
47	150,000	1,500	1,500	300	400	700
48	127,068	2,500	1,500	277	400	677
49	117,866	2,500	1,500	288	400	688
50	150,000	1,500	1,500	300	400	700
51	150,000	1,500	1,500	300	400	700
52	150,000	1,500	1,500	300	400	700
53	150,000	1,500	1,500	300	400	700
54	129,500	2,500	1,500	280	400	680
55	150,000	1,500	1,500	300	400	700
56	150,000	1,500	1,500	300	400	700
57	150,000	1,500	1,500	300	400	700
58	150,000	1,500	1,500	300	400	700
59	150,000	1,500	1,500	300	400	700
60	149,178	1,500	1,500	299	400	699
61	150,000	1,500	1,500	300	400	700
62	150,000	No Pmt	1,500	300	400	700
63	150,000	No Pmt	1,500	300	400	700
64	150,000	2,500	1,500	300	400	700
65	150,000	No Pmt	1,500	300	400	700
66	150,000	No Pmt	1,500	300	400	700
67	150,000	1,500	1,500	300	400	700
68	120,570	1,500	1,500	271	400	671
69	150,000	1,500	1,500	300	400	700
70	150,000	2,500	1,500	300	400	700
71	143,623	1,500	1,500	294	400	694
72	150,000	1,500	1,500	300	400	700
73	900,000	2,500	2,500	1,050	1,250	2,300
74	405,214	2,500	2,500	555	700	1,255
75	5,999,445	2,500	2,500	6,149	7,999	14,149
76	900,000	2,500	2,500	1,050	1,250	2,300
77	900,000	2,500	2,500	1,050	1,250	2,300
78	483,964	1,500	2,500	634	700	1,334
79	195,600	2,500	2,500	346	400	746
80	203,497	1,500	2,500	353	500	853
81	900,000	2,500	2,500	1,050	1,250	2,300
82	472,995	2,500	2,500	623	700	1,323
83	337,769	2,500	2,500	488	600	1,088
84	176,449	2,500	2,500	326	400	726
85	1,242,422	2,500	2,500	1,392	1,500	2,892
86	1,618,007	2,500	2,500	1,768	2,000	3,768
87	856,196	2,500	2,500	1,006	1,250	2,256
88	900,000	2,500	2,500	1,050	1,250	2,300
89	226,280	2,500	2,500	376	500	876
90	2,311,862	2,500	2,500	2,462	4,312	6,774
91	288,467	2,500	2,500	438	500	938
92	332,704	2,500	2,500	483	600	1,083
93	186,609	2,500	2,500	337	400	737
94	12,538,254	2,500	2,500	12,688	14,538	27,227
95	792,129	1,500	2,500	942	1,250	2,192
96	900,000	2,500	2,500	1,050	1,250	2,300
97	900,000	2,500	2,500	1,050	1,250	2,300
98	669,326	2,500	2,500	819	1,000	1,819
99	769,189	2,500	2,500	919	1,250	2,169
100	102,754	2,500	2,500	253	400	653
101	818,346	2,500	2,500	968	1,250	2,218
102	1,486,732	2,500	2,500	1,637	1,500	3,137
103	319,000	2,500	2,500	469	600	1,069
104	200,000	2,500	2,500	350	400	750
105	241,350	2,500	2,500	391	500	891
106	900,000	2,500	2,500	1,050	1,250	2,300
107	900,000	2,500	2,500	1,050	1,250	2,300
108	900,000	2,500	2,500	1,050	1,250	2,300
109	900,000	2,500	2,500	1,050	1,250	2,300
110	900,000	2,500	2,500	1,050	1,250	2,300
111	810,632	1,500	2,500	961	1,250	2,211
112	167,199	2,500	2,500	317	400	717
113	1,475,787	2,500	2,500	1,626	1,500	3,126
114	155,335	1,500	2,500	305	400	705
115	156,702	2,500	2,500	307	400	707
116	1,250,000	2,500	2,500	1,400	1,500	2,900
Total	52,806,521	216,500	178,500	71,407	88,050	159,456

Note:

^a Provided by the State Council of Higher Education for Virginia (SCHEV).

^b Renewal fees in FY 2006 are based on the current emergency regulation and provided by SCHEV.

¹² The number of employment is not available according to SCHEV.

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^c Estimated renewal fees in FY 2007 are based on the proposed regulation and provided by SCHEV.

^d Calculated based on 8 VAC 20-350.

^e STGF: Student Tuition Guaranty Fund

In *Italic*: Gross Tuitions are not available according to SCHEV and are replaced with the upper limit of the bracket.

In **Bold**: Gross tuitions are not available according to SCHEV and are replaced with \$900,000 (the approximate average gross tuition for those with gross tuition above \$150,000).

Underlined: the renewal fees don't match the gross tuitions.

Table 2. Gross Tuitions, Renewal Fees, and Payment to STGF of Selected Schools Sorted by the Estimated Net Increased Cost.

Rank Based on Estimated Net Increased Cost	Gross Tuition ^a (FY 2005)	Renewal Fee (FY 2006) ^b	Estimated Renewal Fee (FY 2007) ^c (1)	Fees under Board of Education regulation ^d (2)	Payment into STGF ^d (3)	Renewal Fee plus Payment to STGF ^d (4)	Estimated Increase in Renewal Fee (1)-(2)	Estimated Growth Rate in Renewal Fee $[(1)-(2)]/(2)$	Estimated Net Increase in Cost (1)-(4)	Estimated Growth Rate in Total Cost $[(1)-(4)]/(4)$
1	12,538,254	2,500	2,500	12,688	14,538	27,227	-10,188	-80%	-24,727	-91%
2	5,999,445	2,500	2,500	6,149	7,999	14,149	-3,649	-59%	-11,649	-82%
3	2,311,862	2,500	2,500	2,462	4,312	6,774	38	2%	-4,274	-63%
4	1,618,007	2,500	2,500	1,768	2,000	3,768	732	41%	-1,268	-34%
5	1,486,732	2,500	2,500	1,637	1,500	3,137	863	53%	-637	-20%
6	1,475,787	2,500	2,500	1,626	1,500	3,126	874	54%	-626	-20%
7	1,250,000	2,500	2,500	1,400	1,500	2,900	1,100	79%	-400	-14%
8	1,242,422	2,500	2,500	1,392	1,500	2,892	1,108	80%	-392	-14%
100	483,964	1,500	2,500	634	700	1,334	1,866	294%	1,166	87%
101	472,995	2,500	2,500	623	700	1,323	1,877	301%	1,177	89%
102	405,214	2,500	2,500	555	700	1,255	1,945	350%	1,245	99%
103	337,769	2,500	2,500	488	600	1,088	2,012	413%	1,412	130%
104	332,704	2,500	2,500	483	600	1,083	2,017	418%	1,417	131%
105	319,000	2,500	2,500	469	600	1,069	2,031	433%	1,431	134%
106	288,467	2,500	2,500	438	500	938	2,062	470%	1,562	166%
107	241,350	2,500	2,500	391	500	891	2,109	539%	1,609	180%
108	226,280	2,500	2,500	376	500	876	2,124	564%	1,624	185%
109	203,497	1,500	2,500	353	500	853	2,147	607%	1,647	193%
110	200,000	2,500	2,500	350	400	750	2,150	614%	1,750	233%
111	195,600	2,500	2,500	346	400	746	2,154	623%	1,754	235%
112	186,609	2,500	2,500	337	400	737	2,163	643%	1,763	239%
113	176,449	2,500	2,500	326	400	726	2,174	666%	1,774	244%
114	167,199	2,500	2,500	317	400	717	2,183	688%	1,783	249%
115	156,702	2,500	2,500	307	400	707	2,193	715%	1,793	254%
116	155,335	1,500	2,500	305	400	705	2,195	719%	1,795	254%

Note:

^a Provided by the State Council of Higher Education for Virginia (SCHEV).

^b Renewal fees in FY 2006 are based on the current emergency regulation and provided by SCHEV.

^c Estimated renewal fees in FY 2007 are based on the proposed regulation and provided by SCHEV.

^d Calculated based on 8 VAC 20-350.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) Economic Impact Analysis (EIA) notes that certification and religious exemption fees are increased in the proposed regulations over those collected by the Board of Education. The State Council of Higher Education for Virginia (SCHEV) reiterates that an increase in fees is necessary for several reasons. Unlike the Board of Education, SCHEV oversight of private and out-of-state postsecondary education (POPE) is not funded by the General Assembly. POPE oversight is funded solely by certification and exemption fees collected from schools operating in the Commonwealth. Like the Board of Education, SCHEV continues to process over 300 annual certification applications, initiates action against schools failing to recertify, investigates schools operating illegally, manages the Student

Tuition Guaranty Fund (STGF), manages records for closed schools, investigates complaints against postsecondary schools, and promulgates regulations and policies.

Unlike the Board of Education, SCHEV provides publicity and promotes awareness of postsecondary education in the Commonwealth. These efforts include contributions to the "Opportunities" publication, an information guide for students and parents, and the maintenance of an online database allowing students to research schools under SCHEV oversight. SCHEV also conducts random and periodic audits of certified schools and retains more staff for POPE oversight than the Board of Education. SCHEV has eliminated at least six fees collected by the Board of Education. These include fees for change of location, addition and deletion of programs, addition of branch campuses, additional space approvals, and catalog review. Thus, the overall increase in fees is required

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to offset the costs of additional functions as well as the elimination of certain fees and the lack of direct funding from the General Assembly.

The EIA also claims that the increase in fees for smaller postsecondary schools will have a disproportionate effect on small businesses. DPB further claims that the eight largest schools will see a decrease in total fees paid, while the smallest 20 schools will see sharp increases in total fees. Careful consideration of the data compiled by DPB shows, however, that breakdown depends on including payments into the STGF. (See the far right column of Table 2 of the EIA.) As noted in the EIA, SCHEV has eliminated payments into the STGF in favor of surety bonds and letter of credit. For this reason, SCHEV believes that fee comparisons based on STGF payments are not relevant to the current circumstances.

Further consideration of the EIA (see the second column from the right in Table 2), shows that certification fees have increased for *all but two* existing schools. Under the Board of Education fee structure, the largest school paid over 40 times more for certification than the smallest school. This disproportionate sharing of certification costs is not supported by differences in effort required by SCHEV. In fact, agency experience has shown that larger schools are more likely to submit complete certification packages requiring little input from SCHEV staff. Smaller schools, on the other hand, are more likely to submit incomplete or inaccurate certification packages requiring significant effort from SCHEV staff. In effect, the previous fee structure was unfair in that it charged less to schools that were more likely to require increased resources from SCHEV. Thus, SCHEV's proposed fee structure spreads the burden of increased fees to almost all certified schools and at the same time softens the inequitable characteristics of the Board of Education fee structure.

In addition to the equitable grounds offered, the proposed fee structure is preferable to the prior structure because it is easier to administer and provides for more stable budget estimates. Under the previous fee structure, certification fees from just one school accounted for over 18% of all fees collected and certification fees from just two schools accounted for almost 27% of all fees collected. (See Table 1 of the EIA.) Thus, under the previous fee structure, closure or relocation of one or two schools could severely compromise or cripple SCHEV's oversight efforts. This danger is particularly acute for SCHEV where additional funding from the General Assembly is not available. Under the proposed fee structure, no single school accounts for more 1.5% of all fees collected. In this way, the proposed fee structure prevents the SCHEV budget from becoming too heavily dependent on any single school.

The proposed fee structure is generally easier to administer and permits more accurate budget estimates because it uses a stepped fee schedule rather than the one directly related to gross tuition receipts. Gross tuition receipts vary from year to year and the stepped fee structure provides some insulation from this variation by reducing fees only when a school drops below a specified threshold.

SCHEV maintains that an overall increase in certification fees is necessary in light of its new functions and the lack of funding from the General Assembly. Further, SCHEV

maintains that the proposed fee structure is preferable because it more equitably spreads costs of certification and because it provides more stability to the SCHEV budget.

Summary:

The proposed regulation administers the certification of private and out-of-state postsecondary schools, which includes institutions of higher education and noncollege degree schools. Noncollege degree schools may be academic-career-technical or career-technical schools. It combines the previous regulations used by SCHEV regulating institutions of higher education (8 VAC 40-30) and the regulations used by the Board of Education to regulate the career-technical schools (8 VAC 20-350) and replaces the current emergency regulation (8 VAC 40-31) effective since November 2004. Major changes include:

- 1. The initial fee for certification is increased from \$300 to \$2,500 for all new career-technical schools.*
- 2. The renewal fee structure for career-technical schools, which was \$150 plus 0.1% of gross tuition receipts for the prior assessment year, is changed. The renewal fees will be \$500 for schools with gross tuition equal to or less than \$50,000; \$1,000 for schools with gross tuition between \$50,000 and \$100,000; \$1,500 for schools with gross tuition between \$100,000 and \$150,000; and \$2,500 for schools with gross tuition above \$150,000.*
- 3. The annual payment to the Student Tuition Guaranty Fund (STGF) is eliminated.*
- 4. Some individual fees are eliminated for certain actions such as change of location (\$100), addition of programs (\$100), program deletion (\$50), addition of branch campus (\$100), revised program review and approval/program name change (\$50), extension classroom/additional space approval (\$50), and catalog review (\$50).*
- 5. Career-technical schools offering exclusively religious instruction continue to be exempted, but they are required to apply every five years to continue the exemption if the exemption is granted after July 1, 2002.*

CHAPTER 31.

REGULATIONS GOVERNING CERTIFICATION OF CERTAIN INSTITUTIONS TO CONFER DEGREES, DIPLOMAS AND CERTIFICATES.

PART I.

DEFINITIONS; PROHIBITIONS; ADVERTISING.

8 VAC 40-31-10. Definitions.

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

"Accreditation" means a process of external quality review used by higher education to scrutinize colleges, universities and educational programs for quality assurance and quality improvement. This term applies to those accrediting organizations recognized by the United States Department of Education.

"Adjunct faculty" means professional staff members of businesses, industries and other agencies and organizations who are appointed by institutions and schools on a part-time basis to carry out instructional, research or public service functions.

"Administrative capability" means a branch (i) maintains or has access to all records and accounts; (ii) designates a named site director; (iii) maintains a local mailing address; and (iv) the course offering at the branch consists of a large number of unit subjects which comprise a program of education or a set curriculum large enough to allow pursuit on a continuing basis.

"Agent" means a person who is employed by any institution of higher education or noncollege degree school, whether such institution or school is located within or outside this Commonwealth, to act as an agent, solicitor, procurer, broker or independent contractor to procure students or enrollees for any such institution or school by solicitation in any form at any place in this Commonwealth other than the office or principal location of such institution or school.

"Branch" means an additional location, operated by a school with an approved existing site. A branch campus must have administrative capability exclusive of the main campus and adequate resources to ensure that the objectives of its programs can be met.

"Career-technical school" means a school that does not offer courses for degree credit.

"Certification" means the process of securing authorization to operate a private or out-of-state postsecondary school or institution of higher education and/or degree, certificate, or diploma program in the Commonwealth of Virginia.

"Change of ownership" means the change in power within a school. Change of ownership may include, but is not limited to, the following situations: (i) sale of the school; (ii) merger of two or more schools if one of the schools is nonexempt; or (iii) change from profit to nonprofit or collective.

"CIP code number" means the six-digit Classification of Instructional Programs number assigned to each discipline specialty.

"Clock (or contact) hour" means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks.

"College" means any institution of higher education that offers degree programs.

"Council" means the State Council of Higher Education for Virginia.

"Course for degree credit" means a single course whose credits are applicable to the requirements for earning a degree, diploma, or certificate.

"Course registration materials" means any official documents provided to students for the purpose of formal enrollment into the school, a specific program, or a certain course(s).

"Credit" means (i) the quantitative measurement assigned to a course generally stated in semester hours, quarter hours, or clock hours or (ii) the recognition awarded upon successful completion of coursework.

"Credit hour" means a unit by which a school may measure its course work. The number of credit hours assigned to a traditionally delivered course is usually defined by a combination of the number of hours per week in class, the number of hours per week in a laboratory, and/or the number of hours devoted to externship times the number of hours in the term. One unit of credit is usually equivalent to, at a minimum, one hour of classroom study and outside preparation, two hours of laboratory experience, or three hours of internship or practicum, or a combination of the three times the number of weeks in the term. Emerging delivery methodologies may necessitate determining a unit of undergraduate credit with non-time based methods. These courses shall use demonstration of competency, demonstration of proficiency, or fulfillment of learning outcomes to insure these courses are equivalent to traditionally delivered courses.

"Degree" means any earned award at the associate, baccalaureate, master's, first professional, or doctoral level which represents satisfactory completion of the requirements of a program or course of study or instruction beyond the secondary school level and includes certificates and specialist degrees when such awards represent a level of educational attainment above that of the associate degree level.

"Degree program" means a curriculum or course of study that leads to a degree in a discipline or interdisciplinary specialty and normally is identified by a six-digit CIP code number.

"Diploma" or "certificate" means an award that represents a level of educational attainment at or below the associate degree level and that is given for successful completion of a curriculum comprised of two or more courses.

"Existing institution" or "existing postsecondary school" means any postsecondary school that (i) has been in operation in Virginia for two or more calendar years as of July 1, 2004, and has been certified to operate continuously during that period or (ii) has been approved to operate as a postsecondary school in another state, is accredited by an accrediting agency recognized by the United States Department of Education, and is certified to operate in Virginia.

"Full-time faculty" means a person whose: (i) employment is based upon an official contract, appointment, or agreement with a school; (ii) principal employment is with that school; and (iii) major assignments are in teaching and research. A full-time administrator who teaches classes incidental to administrative duties is not a full-time faculty member.

"Gross tuition collected" means all fees collected or received on either a cash or accrual accounting method basis for all instructional programs or courses, except for nonrefundable registration and application fees and charges for materials, supplies, and books which have been purchased by, and are the property of, the student.

"In-state institution" means an institution of higher education that is formed, chartered or established within Virginia. An out-of-state institution shall be deemed an in-state institution for the purposes of certification as a degree-granting institution if (i) it has no instructional campus in the jurisdiction in which it was formed, chartered, established, or incorporated

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and (ii) it produces clear and convincing evidence that its main or principal campus is located in Virginia.

"Institution of higher education" or "institution" means any person, firm, corporation, association, agency, institute, trust, or other entity of any nature whatsoever offering education beyond the secondary school level that has received certification from the council and: (i) offers courses or programs of study or instruction that lead to, or that may reasonably be understood to be applicable to, a degree; (ii) operates a facility as a college or university or other entity of whatever kind that offers degrees or other indicia of level of educational attainment beyond the secondary school level; or (iii) uses the term "college" or "university," or words of like meaning, in its name or in any manner in connection with its academic affairs or business.

"Instructional faculty" means a person employed by a school and who is engaged in instructional, research, or related activities.

"Multistate compact" means any agreement involving two or more states to offer jointly postsecondary educational opportunities, pursuant to policies and procedures set forth by such agreement and approved by council.

"New institution" or "new postsecondary school" means any postsecondary school that seeks certification and has been in operation in Virginia for less than two calendar years as of July 1, 2004, and has not operated in nor has been approved to operate as a postsecondary institution in another state.

"Noncollege degree school" means any postsecondary school that offers courses or programs of study that do not lead to an associate or higher level degree. Such schools may be academic-career-technical or career-technical.

"Out-of-state institution" means an institution of higher education that is formed, chartered, established or incorporated outside Virginia.

"Part-time faculty" means a person whose: (i) annual employment is based upon an official contract, appointment, or agreement with a school; (ii) principal employment is with an entity other than that school; and (iii) teaching assignments include at least one course during at least two terms within the academic year.

"Postsecondary education" means the provision of formal instructional programs with a curriculum designed primarily for students who have completed the requirements for a high school diploma or equivalent. This includes programs of an academic, career-technical, and continuing professional education purpose, and excludes avocational and adult basic education programs.

"Postsecondary education activities" means researching, funding designing, and/or conducting instructional programs, classes, or research opportunities, designed primarily for students who have completed the requirements for a high school diploma or its equivalent.

"Postsecondary school" or "school" means any entity offering formal instructional programs with a curriculum designed primarily for students who have completed the requirements for a high school diploma or its equivalent. Such schools

include programs of academic, career-technical, and continuing professional education, and exclude avocational and adult basic education programs. For the purposes of this chapter, a "postsecondary school" shall be classified as either an institution of higher education as defined in this section or a noncollege degree school, as defined in this section.

"Program" means a curriculum or course of study in a discipline or interdisciplinary area that leads to a degree, certificate, or diploma.

"Program area" means a general group of disciplines in which one or more degree programs, certificates, or diplomas may be offered.

"Program of study" means a curriculum of two or more courses that is intended or understood to lead to a degree, diploma, or certificate. It may include all or some of the courses required for completion of a degree program.

"Proprietary" means a privately owned and managed, profit-making institution of higher education or noncollege degree school.

"Site" means a location in Virginia where a postsecondary school (i) offers one or more courses on an established schedule and (ii) enrolls two or more persons who are not members of the same household. A site may or may not be a branch, and it does not have to have administrative capability.

"Surety instrument" means a surety bond or a clean irrevocable letter of credit issued by a surety company or banking institution authorized to transact business in Virginia adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given semester, quarter or term and to cover the administrative cost associated with filing a claim against the instrument.

"Teach-out agreement" means the process whereby a school undertakes to fulfill its educational and contractual obligations to currently enrolled students.

"Telecommunications activity" means any course offered by a postsecondary school or consortium of postsecondary schools where the primary mode of delivery to a site is television, videocassette or disc, film, radio, computer, or other telecommunications devices.

"Unearned tuition" means the portion of tuition charges billed to the student but not yet earned by the institution; the unearned tuition represents future educational services to be rendered to presently enrolled students.

"University" means any institution offering programs leading to degrees or degree credit beyond the baccalaureate level.

8 VAC 40-31-20. Prohibited acts.

A. Except as in accordance with this chapter, no person, or other entity shall sell, barter, or exchange for any consideration, or attempt to sell, barter, or exchange for any consideration, any degree, degree credit, diploma, or certificate.

B. No person or other entity shall use or attempt to use in connection with any business, trade, profession, or occupation any degree or certification of degree or degree credit,

including but not limited to a transcript of coursework that has knowingly been fraudulently issued, obtained, forged, or materially altered.

C. Unless exempted from the provisions of this chapter pursuant to § 23-276.2 of the Code of Virginia, no person, firm, or school may represent that credits earned at or granted by that person, firm, or school are applicable for credit toward a degree, except under such conditions and in a manner specified and approved by the council in accordance with this chapter.

D. Without prior certification, no person or other entity subject to the provisions of this chapter shall use in any manner within the Commonwealth of Virginia the term "college" or "university" or abbreviations or words of similar meaning in its name or in any manner in connection with its academic affairs or business or in any literature, catalog, pamphlet, or descriptive materials.

1. This subsection shall not apply to any person or other entity that (i) used the term "college" or "university" openly and conspicuously in its title within the Commonwealth prior to July 1, 1970; (ii) was granted authority to operate in Virginia by the council between July 1, 1970, and July 1, 2002, and maintains valid authority to so operate in Virginia after July 1, 2002; (iii) was exempted from the provisions of Chapter 21 (§ 23-265 et seq.) of Title 23 of the Code of Virginia as such law was in effect prior to July 1, 2002; or (iv) was authorized by the council to use a name prior to a request for certification.

2. For only as long as the provisions of Item 158 D of Chapter 912 of the 1996 Acts of Assembly shall be in effect, this subsection shall not apply to individual proprietorships, associations, co-partnerships or corporations that use the words "college" or "university" in their training programs solely for their employees or customers, that do not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it clearly appears that such entity is not an educational school.

E. The council may refuse to certify school names and terms that have the potential to mislead the general public about the school's affiliation or association with any state-supported institution of higher education in Virginia. Terms such as, but not limited to, "public university", "public college," or "community college" may be protected from use by private institutions of higher education.

8 VAC 40-31-30. Advertisements, announcements, and other promotional materials.

A. A school certified to operate by the council in accordance with this chapter shall include in any print and electronic catalogs and course registration materials (i) that the council has certified the school to operate in Virginia and (ii) a complete address of the main campus and all branch locations within Virginia.

B. A school with its main campus not located in Virginia that has a physical presence in Virginia shall state in its course registration materials distributed in Virginia that:

1. Each course or degree, diploma, or certificate program offered in Virginia is approved by the governing body of the school; and

2. The appropriate state agency, if any, in the state where the main campus of the school is located has granted whatever approval may be necessary for the school to:

a. Offer courses or degree, diploma, or certificate programs at the level for which credit is being awarded for those courses or programs in Virginia;

b. Offer courses or degree programs outside its state;

c. Offer each course or degree, diploma, or certificate program being offered in Virginia; and

d. Any credit earned for coursework offered by the school in Virginia can be transferred to the school's principal location outside Virginia as part of an existing degree, diploma, or certificate program offered by the school.

C. No advertisement, announcement, or any other material produced by or on behalf of a postsecondary school shall in any way indicate that the school is supervised, recommended, endorsed, or accredited by the Commonwealth of Virginia, by the State Council of Higher Education, or by any other state agency in Virginia.

PART II. EXEMPTIONS.

8 VAC 40-31-40. State-supported institutions.

This chapter shall not apply to the institutions named in §§ 23-9.5 and 23-14 of the Code of Virginia, including their branches, divisions, or colleges, or to any state-supported institution of higher education that may be established in the future.

8 VAC 40-31-50. Religious institutions.

A. The council shall exempt from the provisions of Chapter 21 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia, any school whose primary purpose is to provide religious training or theological education, provided that the school:

1. Awards only degrees, diplomas, or certificates (i) whose titles indicate the school's primary purpose plainly upon their face and (ii) which state that the school is excluded from the requirement of state certification; and

2. States plainly in its catalogs and other publications that (i) the school's primary purpose is to provide religious training or theological education; (ii) the school's degrees, diplomas, or certificates are so titled and worded; and (iii) the school is exempt from the requirement of state certification.

B. The title of each degree, diploma, or certificate awarded by a school that claims an exemption under the provisions of this section must reflect that the school's primary purpose is religious education.

1. The titles of religious degrees that may be awarded include, but are not limited to, (i) Bachelor of Christian Education, (ii) Master of Divinity, and (iii) Doctor of Sacred Theology.

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2. The titles of secular degrees that may not be awarded in any discipline, including religion, Christian education, and biblical studies, include, but are not limited to, (i) Associate of Arts, (ii) Associate of Science, (iii) Associate of Applied Science, (iv) Associate of Occupational Science, (v) Bachelor of Arts, (vi) Bachelor of Science, (vii) Master of Arts, (viii) Master of Science, (ix) Doctor of Philosophy, and (x) Doctor of Education.

C. Exemptions granted after July 1, 2002, will be for a maximum of five years. Schools wishing to maintain an exempt status must reapply to council at least six months prior to the expiration of the exemption period. Exempt schools shall not make claims of "approval," "endorsement," or other such terms by the council in any of their promotional materials. Exempt schools shall clearly state in their catalogs and promotional materials that they are exempt from the requirements of state regulation and oversight.

D. A school that awards secular degrees in addition to religious degrees, certificates or diplomas, as defined in subsections A and B of this section must comply with the provisions for certification for all nonreligious degree programs.

E. Each school requesting full or partial exemption must apply on forms provided by and in a manner prescribed by the council.

F. The council, on its own motion, may initiate formal or informal inquiries to confirm that this chapter is not applicable to a religious school if the council has reason to believe that the school may be in violation of the provisions of this section.

1. Any school that claims an exemption under subsections A and B of this section on the basis that its primary purpose is to provide religious training or theological education shall be entitled to a rebuttable presumption of the truth of that claim.

2. It shall be the council's responsibility to show that a school is not exempt under subsections A and B of this section.

3. The council assumes no jurisdiction or right to regulate religious beliefs under this chapter.

G. A school whose claim for exemption under subsections A and B of this section is denied by the council shall have the opportunity to appeal the council's action in accordance with 8 VAC 40-31-70.

8 VAC 40-31-60. Schools, programs, degrees, diplomas, and certificates exempt by council action.

A. The following activities or programs offered by schools not leading to a degree or certificate otherwise subject to this chapter shall be exempt from its provisions:

1. Any school subject to the provisions of Chapter 16 (§ 22.1-319 et seq.) of Title 22.1 of the Code of Virginia.

2. Any honorary degree conferred or awarded by a school, as long as the degree (i) does not represent the satisfactory completion of all or any part of the requirements of a program or course of study and (ii) is normally regarded as one that is intended to be commemorative in nature in

recognition of an individual's contributions to society. Such degree must state on its face that it is honorary in nature.

3. Any nursing education program offered by a school to the extent that the program is regulated by the Virginia Board of Nursing.

a. The Virginia Board of Nursing is the state agency that is authorized to license registered nurses and to approve nursing programs with regard to the adequacy of the curriculum and resources for preparing students to take the licensing examination.

b. To offer a degree in nursing, a school must have obtained prior council certification.

4. Any professional program for professional or occupational training offered by a school to the extent that the program (i) is subject to approval by a regulatory board pursuant to Title 54.1 of the Code of Virginia; or (ii) is subject to approval by any other state or federal agency; and (iii) the school is not seeking degree-granting status such that they would be required to obtain prior council certification.

5. Any course or program of study given by or approved by any professional body, fraternal organization, civic club, or benevolent order principally for professional education or advancement or similar purpose and for which no certificate, degree, or degree credit is awarded.

6. Courses or programs offered through approved multistate compacts, including but not limited to, the Southern Regional Education Board's Electronic Campus.

7. Those courses offered and delivered by a postsecondary school that is accredited by an entity recognized by the U.S. Department of Education for accrediting purposes, if such courses are provided solely on a contractual basis for which no individual is charged tuition and for which there is no advertising for open enrollment.

8. Any school, institute or course of instruction offered by any trade association or any nonprofit affiliate of a trade association on subjects related to the trade, business or profession represented by such association.

9. Any public or private high school accredited or recognized by the Board of Education that has offered or may offer one or more courses cited in this chapter if any tuition, fees and charges made by the school are collected as may be permitted by Title 22.1 of the Code of Virginia, in the case of a public school, or pursuant to regulations prescribed by the relevant governing body of such private school.

10. Tutorial instruction delivered and designed to supplement regular classes for students enrolled in any public or private school or to prepare an individual for an examination for professional practice or higher education.

11. Schools of fine arts or other avocational courses that are conducted solely to further artistic appreciation, talent, or for personal development or information.

B. Notwithstanding the exemptions provided in this section, a school may seek certification for an otherwise exempt activity or program.

8 VAC 40-31-70. Denial of exemption; appeal of action.

If the council denies a request for exemption the executive director shall ensure that the school is afforded an opportunity to be heard. The procedures set forth in 8 VAC 40-31-220 shall apply.

PART III.
ROLE OF THE COUNCIL AND STAFF.

8 VAC 40-31-80. Role of the council.

A. Pursuant to § 23-276.9 of the Code of Virginia, the council may establish fees for services and the methods for collecting such fees.

B. Pursuant to § 23-276.3 E of the Code of Virginia and unless otherwise indicated, the council delegates authority for administering the requirements of Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia and this chapter to the executive director.

C. Pursuant to § 23-276.3 of the Code of Virginia, the council shall adopt certification criteria for the operation of postsecondary schools in Virginia.

D. Only the council may refuse to grant certification, or revoke or suspend certification. In these instances, the council will be responsible for ensuring due process and compliance with the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

8 VAC 40-31-90. Role of the executive director.

A. In addition to other administrative responsibilities vested in the executive director of the council, the executive director shall carry out the following administrative responsibilities relative to this chapter:

1. Authorize certification to operate for postsecondary schools that meet the certification criteria.
2. Authorize the use of the term "college" or "university" in a school's name.
3. Authorize religious exemptions.
4. Pursuant to § 23-276.7 of the Code of Virginia, authorize emergency action in the event a school has received an adverse action by the United States Department of Education or by its accrediting agency that threatens a disruption of the operation of the school and exposes students to a loss of course or degree credit or financial loss. All emergency actions shall be reported to council at its next meeting to either ratify or take such actions as it may deem necessary. The authority of the executive director in these instances includes the ability to:
 - a. Suspend new enrollment in specified programs, degree levels or in all programs and degree levels.
 - b. Require the school to provide a guaranty instrument or increase the penal amount or a current guaranty.

c. Take other actions as may be necessary to protect the rights of currently enrolled or future students.

5. Assess administrative fees.

6. Authorize the release of a surety instrument requirement.

B. The executive director may delegate certain administrative responsibilities to the council staff.

8 VAC 40-31-100. Role of the council staff.

A. The council staff shall:

1. Provide oversight and administration for purposes of compliance with Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia.
2. Review initial and annual certification requirements for all schools.
3. Perform random and periodic site visits to review, inspect and investigate school compliance.
4. Investigate as necessary all noncertified postsecondary school activities operating in the Commonwealth of Virginia.
5. Monitor the accreditation activities of all nonaccredited postsecondary schools operating in the Commonwealth of Virginia.
6. Investigate all written and signed complaints or adverse publicity or any situation that may adversely affect students or consumers.
7. Share with state or federal agencies and appropriate accrediting bodies information regarding the operation or closure of postsecondary schools operating in Virginia.

B. The executive director may delegate other responsibilities as deemed appropriate.

PART IV.
SCHOOLS FOR WHICH CERTIFICATION IS REQUIRED.

8 VAC 40-31-110. Certain existing approvals and exemptions continued.

A. An institution of higher education that was approved or authorized to confer degrees at a particular level or to offer one or more degree programs or program areas may continue to confer those degrees and to offer those programs until and unless the school's approval or authorization is revoked by the council in accordance with 8 VAC 40-31-200.

B. A Virginia institution that is approved or authorized to confer degrees by the council, the State Board of Education, or act of the General Assembly of Virginia and is subject to the conditions of § 23-276.4 C of the Code of Virginia shall be subject to whatever conditions or stipulations may have been imposed.

8 VAC 40-31-120. Certification required for new and existing postsecondary schools.

A. All instructional offerings in Virginia that are not exempted from these regulations are subject to this chapter, even though the credit awarded for those offerings may be transferred to a location outside Virginia.

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B. A new postsecondary school must become certified to operate prior to engaging in activities related to postsecondary education via telecommunications activity, mail correspondence courses, or at a site within the Commonwealth.

1. The determination for certification of telecommunications activities or mail correspondence courses may be based upon, but not limited to, physical presence.

2. Telecommunications activities and mail correspondence courses, with the exception of degree programs, academic credit and other courses offered exclusively from outside the state through individual and private interstate communication, are subject to the certification criteria required for all postsecondary schools.

C. Existing postsecondary schools must recertify compliance with certification criteria on an annual basis in order to continue offering postsecondary courses and programs.

D. Postsecondary schools operating branches must certify each separately.

E. Postsecondary schools not previously certified in Virginia seeking to establish a postsecondary education consortium, agreement, partnership, or other similar arrangement with an existing postsecondary school must meet all requirements for certification as set forth in these regulations and must become certified to operate prior to engaging in postsecondary education activities within the Commonwealth of Virginia.

PART V. CERTIFICATION CRITERIA.

8 VAC 40-31-130. Application of certification criteria.

A. The certification criteria shall include, but not be limited to (i) procedures by which a postsecondary school may apply for certification and (ii) criteria designed to ensure that all postsecondary schools that are subject to this chapter meet minimal academic or career-technical standards.

B. Postsecondary schools, by notarized signature of the chief executive officer, will be responsible for certifying total compliance with certification criteria on an initial and annual basis.

8 VAC 40-31-140. Certification criteria for institutions of higher education.

A. This section shall apply to each institution for which certification is required.

B. The course, program, curriculum and instruction must be of quality, content and length to adequately achieve the stated objective. Administrators and faculty must be qualified and appropriately credentialed as follows:

1. For terminal occupational/technical programs leading to the Associate of Occupational Science (A.O.S.) degree, general education courses must compose at least 15% of the total credit hours required for the degree.

2. For terminal occupational/technical programs leading to the Associate of Applied Science (A.A.S.) degree, general education courses shall compose at least 25% of the total credit hours required for the degree.

3. All instructional faculty teaching in a terminal occupational/technical program leading to the Associate of Applied Science (A.A.S.) or Associate of Occupational Science (A.O.S.) degree shall:

a. If teaching general education courses, hold a baccalaureate degree from an accredited college or university, plus at least 18 graduate credit hours in the discipline being taught.

b. If teaching occupational/technical courses, hold either (i) an associate degree or (ii) qualify for a faculty appointment by virtue of scholarly or professional achievements.

4. For all university parallel associate degree programs, general education courses shall compose at least 25% of the total credit hours required for the degree, and required courses in the major field of study shall compose no more than 50% of the total credit hours required for the degree in a specific discipline.

5. All instructional faculty teaching in a college-transfer program at the associate level shall:

a. If teaching general education courses or in programs in the liberal arts and sciences, hold a baccalaureate degree from an accredited college or university, plus at least 18 graduate credit hours in the discipline being taught.

b. If teaching occupational/technical courses, hold a baccalaureate degree in the discipline being taught or qualify by virtue of professional or scholarly achievement.

6. All instructional faculty members who teach in programs at the baccalaureate level shall:

a. Hold a master's degree in the discipline being taught or hold a master's degree in an area other than that being taught with at least 18 graduate semester hours in the teaching discipline from an accredited college or university.

b. Exception to academic preparation requirements for instructional faculty may be made in instances where substantial documentation of professional and scholarly achievements can be shown.

7. All instructional faculty teaching in a program at the master's level or higher shall hold a doctoral or other terminal degree from an accredited college or university. Exception to academic preparation requirements for instructional faculty may be made in instances where substantial documentation of professional and scholarly achievements can be shown.

C. In addition to the instructor qualifications in subsection B of this section, the institution must certify that:

1. All instructional courses for degree credit require a minimum of 15 contact hours for each semester credit hour or a minimum of 10 contact hours for each quarter credit hour, or the equivalent, and an expectation for additional assignments beyond scheduled instructional activities.

2. The elective and required courses for each program are offered on a schedule and in a sequence that enables both

full-time and part-time students to complete the program in a reasonable period of time.

3. The institution's instructional faculty at each site holds either full-time, part-time, or adjunct appointments.

4. The institution's academic programs meet the following criteria: (i) ensure a properly credentialed and course qualified instructor teaches each course; (ii) ensure that a credentialed and course qualified academic advisor is available to meet the concerns of the student, and that a student contact by any method will elicit a response from the advisor within a reasonable timeline; (iii) ensure that continual curriculum development and oversight for each major and concentration/track is maintained; and (iv) ensure a program director is named and designated to oversee each program area.

5. There is a plan to provide for interaction between student and faculty, and among students.

8 VAC 40-31-150. Certification criteria for career-technical schools.

A. The criteria in this section shall apply to each career-technical school for which certification is required.

B. The course, program, curriculum and instruction must be of quality, content and length to adequately achieve the stated objective. Administrators and faculty, if teaching technical courses for career-technical programs not leading to a degree and not offered as degree credit, must hold either (i) an associate degree related to the area of instruction or (ii) have a minimum of two years of technical/occupational experience in the area of teaching responsibility or a related area.

C. In addition to the instructor qualifications in subsection B of this section, the career-technical school must certify that:

1. Courses of study conform to state, federal, trade, or manufacturing standards of training for the occupational fields in which such standards have been established or conform to recognized training practices in those fields.

2. It has a plan to provide for interaction between student and faculty, and among students.

8 VAC 40-31-160. Certification criteria for all postsecondary schools.

A. The criteria in this section shall apply to all postsecondary schools for which certification is required.

B. The postsecondary school shall have a clear, accurate, and comprehensive written statement, which shall be available to the public upon request. The statement minimally shall include the following items:

1. The history and development of the postsecondary school;

2. An identification of any persons, entities, or institutions that have a controlling ownership or interest in the postsecondary school;

3. The purpose of the postsecondary school, including a statement of the relative degree of emphasis on instruction, research, and public service;

4. A description of the postsecondary school's activities including telecommunications activities away from its principal location, and a list of all program areas in which courses are offered away from the principal location;

5. A list of all locations in Virginia at which the postsecondary school offers courses and a list of the degree programs currently offered or planned to be offered in Virginia;

6. The number of students enrolled in each program offered;

7. The number of students that graduate from the school each calendar year;

8. The percent of those that enroll that subsequently successfully graduate;

9. The number of students reporting employment in their field of study within six months after graduation;

10. The number of students reporting employment in their field of study within one year of graduation; and

11. A statement of the postsecondary school's long-range plans.

C. The postsecondary school or branch shall have a current, written document available to students and the general public upon request that accurately states the powers, duties, and responsibilities of:

1. The governing board or owners of the school;

2. The chief operating officer, president, or director at that site in Virginia;

3. The principal administrators and their credentials at that site in Virginia;

4. The students, if students participate in school governance.

D. The postsecondary school shall have and maintain and provide to all applicants a policy document accurately defining the minimum requirements for eligibility for admission to the school and for acceptance at the specific degree level or into all specific degree programs offered by the postsecondary school that are relevant to the school's admissions standards. In addition, the document shall explain:

1. The standards for academic credit or course completion given for experience;

2. The criteria for transfer credit where applicable;

3. The criteria for refunds of tuition and fees;

4. Students' rights, privileges, and responsibilities;

5. That students shall follow the established grievance process of the school and may contact SCHEV as a last resort to file a complaint about a school.

E. The postsecondary school shall maintain records on all enrolled students. These records minimally shall include:

1. Each student's application for admission and admissions records containing information regarding the educational

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- qualifications of each regular student admitted that are relevant to the postsecondary school's admissions standards. Each student record must reflect the requirements and justification for admission of the student to the postsecondary school. Admissions records must be maintained for five years after the student's last date of attendance.
2. A transcript of the student's academic or course work at the school, which shall be retained permanently in either hard copy forms or in a database with backup.
 3. A record of student academic or course progress at the school including programs of study, dates of enrollment, courses taken and completed, grades, and indication of the student's current status (graduated, probation, etc.).
 4. A written, binding agreement transacted with another school or records-maintenance organization with which the school is not corporately connected for the preservation of students' transcripts by another institution or agency, as well as for access to the transcripts, in the event of school closure or revocation of certification in Virginia. State-supported, public schools originating in a state other than Virginia and operating a campus within Virginia may choose to enter into a written, binding agreement regarding records with the university system of which they are a part.
- F. Each school shall provide or make available to students, prospective students, and other interested persons a catalog, bulletin or brochure containing, at a minimum, the following information:
1. The number of students enrolled in each program offered.
 2. The number of students that graduate from the school each calendar year.
 3. The percent of those graduating out of the total number that enroll each year.
 4. A description of any financial aid offered at the school including repayment obligations, standards of academic progress required for continued participation in the program, sources of loans or scholarships, the percentage of students receiving federal financial aid (if applicable) and the average student indebtedness at graduation.
 5. A broad description, including academic and/or career-technical objectives of each program offered, the number of hours of instruction in each subject and total number of hours required for course completion, course descriptions, and a statement of the type of credential awarded.
 6. A statement of tuition and fees and other charges related to enrollment, such as deposits, fees, books and supplies, tools and equipment, and any other charges for which a student may be responsible.
 7. The school's refund policy for tuition and fees pursuant to subsection N of this section and the school's procedures for handling complaints, including procedures to ensure that a student will not be subject to unfair actions as a result of his initiation of a complaint proceeding.
 8. The name and address of the school's accrediting body, if applicable.
 9. The minimum requirements for satisfactory completion of each degree level and degree program, or nondegree certifications/diplomas.
 10. A statement that all school officials accurately represent the transferability of any courses or programs and state if any of the associate degrees offered by the school are considered terminal degrees.
 11. A statement that ensures that all school officials accurately represent the transferability of any diplomas or certificates offered by the school.
 12. If the institution offers programs leading to the Associate of Applied Science or Associate of Occupational Science degree, a statement that these programs are terminal occupational/technical programs and their credits generally are not applicable to other degrees.
 13. The academic or course work schedule for the period covered by the publication.
 14. Placement services and employment opportunities accurately stated to include the number of students reporting employment in their field of study within six months and within one year of graduation.
 15. The name, location, and address of the main campus, branch or site operating in Virginia.
- G. The school must have a clearly defined process by which the curriculum is established, reviewed and evaluated. Evaluation of school effectiveness must be completed on a regular basis and include, but not be limited to:
1. An explanation of how each program is consistent with the mission of the school.
 2. The written process for evaluating each degree level and program, or career-technical program, once initiated and written procedures for assessing the extent to which the educational goals are being achieved.
 3. Documented use of the results of these evaluations to improve the degree programs.
- H. Pursuant to § 23-276.3 B of the Code of Virginia, the school must maintain records that demonstrate it is financially sound; exercises proper management, financial controls and business practices; and can fulfill its commitments for education or training. The school's financial resources should be characterized by stability, which indicates the school is capable of maintaining operational continuity for an extended period of time. The stability indicator that will be used is the U.S. Department of Education (USDE) Financial Ratio (composite score).
1. Institutions of higher education shall provide the results of an annual audited financial statement, reviewed financial statement, or a compiled financial statement. Noncollege degree schools shall provide the results of an annual audited financial statement, reviewed financial statement, or a compiled financial statement or the school may elect to provide financial information on forms provided by SCHEV.

2. The USDE composite score range is -1.0 to 3.0. Schools with a score of 1.5 to 3.0 meet fully the stability requirement in subsection I of this section; scores between 1.0 and 1.4 meet the minimum expectations; and scores less than 1.0 do not meet the requirement and shall be immediately considered for audit.

I. Pursuant to § 23-276.3 B of the Code of Virginia, the school shall have and maintain a surety instrument issued by a surety company or banking institution authorized to transact business in Virginia, adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given semester, quarter or term and to cover the administrative cost associated with the instrument claim. The instrument shall be based on the non-Title IV funds that have been received from students or agencies for which the education has not yet been delivered. This figure shall be indicated in audited or reviewed financial statements as a Current (non-Title IV) Tuition Liability. Schools certified under this regulation shall be exempt from the surety instrument requirement if they can demonstrate a U.S. Department of Education composite financial responsibility score of 1.5 or greater on their current audited or reviewed financial statement; or if they can demonstrate a composite score between 1.0 and 1.4 on their current audited or reviewed financial statement and have scored at least 1.5 on an audited or reviewed financial statement in either of the prior two years.

1. Public postsecondary schools originating in a state other than Virginia that are operating a branch campus or site in the Commonwealth of Virginia are exempt from the surety bond requirement.

2. New schools and unaccredited existing schools must complete at least two calendar years of academic instruction to qualify for the surety waiver.

J. The school shall have a current written policy on faculty accessibility, which shall be distributed to all students. The school shall ensure that instructional faculty are accessible to students for academic or course advising at stated times outside regularly scheduled class hours at each site when a course is offered and throughout the period during which the course is offered.

K. All recruitment personnel must provide prospective students with current and accurate information on the school through the use of written and electronic materials and in oral admissions interviews:

1. The school shall be responsible and liable for the acts of its admissions personnel.

2. No school, agent, or admissions personnel shall knowingly make any statement or representation that is false, inaccurate or misleading regarding the school.

L. All programs offered via telecommunications must be comparable in content, faculty, and resources to those offered in residence, and include regular student-faculty interaction by computer, telephone, mail, or face-to-face meetings.

M. The school shall maintain and ensure that students have access to a library with a collection, staff, services, equipment and facilities that are adequate and appropriate for the purpose and enrollment of the school. Library resources shall

be current, well distributed among fields in which the institution offers instructions, cataloged, logically organized, and readily located. The school shall maintain a continuous plan for library resource development and support, including objectives and selections of materials. Current and formal written agreements with other libraries or with other entities may be used. Institutions offering graduate work shall provide access to library resources that include basic reference and bibliographic works and major journals in each discipline in which the graduate program is offered. Career-technical schools shall provide adequate and appropriate resources for completion of course work.

N. In accordance with § 23-276.3 B of the Code of Virginia, the school shall establish a tuition refund policy and communicate it to students. Accredited institutions shall adhere to the tuition refund requirements of their accrediting body, if required. All other schools shall adhere to the following tuition refund requirements:

1. The school shall adopt a minimum refund policy relative to the refund of tuition, fees, and other charges. All fees and payments, with the exception of the nonrefundable fee described in subdivision 2 of this subsection, remitted to the school by a prospective student shall be refunded if the student is not admitted, does not enroll in the school, does not begin the program or course, withdraws prior to the start of the program, or is dismissed prior to the start of the program.

2. A school may require the payment of a reasonable nonrefundable initial fee, not to exceed \$100, to cover expenses in connection with processing a student's enrollment, provided it retains a signed statement in which the parties acknowledge their understanding that the fee is nonrefundable. No other nonrefundable fees shall be allowed prior to enrollment.

3. The school shall provide a period of at least three business days, weekends and holidays excluded, during which a student applicant may cancel his enrollment without financial obligation other than the nonrefundable fee described in subdivision 2 of this subsection.

4. Following the period described in subdivision 3 of this subsection, a student applicant (one who has applied for admission to a school) may cancel, by written notice, his enrollment at any time prior to the first class day of the session for which application was made. When cancellation is requested under these circumstances, the school is required to refund all tuition paid by the student, less a maximum tuition fee of 15% of the stated costs of the course or program or \$100, whichever is less. A student applicant will be considered a student as of the first day of classes.

5. An individual's status as a student shall be terminated by the school not later than seven consecutive instructional days after the last day on which the student actually attended the school. Termination may be effected earlier by written notice. In the event that a written notice is submitted, the effective date of termination will be the date the student last attended classes. Schools may require that written notice be transmitted via registered or certified mail,

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provided that such a stipulation is contained in the written enrollment contract. The school may require that the parents or guardians of students under 18 years of age submit notices of termination on behalf of their children or wards. Schools are required to submit refunds to individuals who have terminated their status as students within 45 days after receipt of a written request or the date the student last attended classes whichever is sooner. Institutions that provide the majority of their program offerings through distance learning shall have a plan for student termination, which shall be provided to SCHEV for review with the annual or recertification application.

6. The minimum refund policy for schools which financially obligate the student for a quarter, semester, trimester or other period not exceeding 4-1/2 calendar months shall be as follows:

a. A student who enters school but withdraws during the first 1/4 (25%) of the period is entitled to receive as a refund a minimum of 50% of the stated cost of the course or program for the period.

b. A student who enters a school but withdraws after completing 1/4 (25%), but less than 1/2 (50%) of the period is entitled to receive as a refund a minimum of 25% of the stated cost of the course or program for the period.

c. A student who withdraws after completing 1/2 (50%), or more than 1/2 (50%), of the period is not entitled to a refund.

7. The minimum refund policy for schools which financially obligate the student for the entire amount of tuition and fees for the entirety of a program or course shall be as follows:

a. A student who enters the schools but withdraws or is terminated during the first 1/4 of the program shall be entitled to a minimum refund amounting to 75% of the cost of the program.

b. A student who withdraws or is terminated during the second 1/4 of the program shall be entitled to a minimum refund amounting to 50% of the cost of the program.

c. A student who withdraws or is terminated during the third 1/4 of the program shall be entitled to a minimum refund amounting to 25% of the cost of the program.

d. A student who withdraws after completing 3/4 (75%) of the program shall not be entitled to a refund.

8. Fractions of credit for courses completed shall be determined by dividing the total amount of time required to complete the period or the program by the amount of time the student actually spent in the program or the period, or by the number of correspondence course lessons completed, as described in the contract.

9. It is not required that expenses incurred by students for instructional supplies, tools, activities, library, rentals, service charges, deposits, and all other charges be considered in tuition refund computations when these expenses have been represented separately to the student in the enrollment contract and catalogue, or other

documents, prior to enrollment in the course or program. Schools shall adopt and adhere to reasonable policies regarding the handling of these expenses when calculating the refund and submit the policies to the department for approval.

10. For programs longer than one year, the policy outlined in subdivisions 7 and 8 of this subsection shall apply separately for each academic year or portion thereof.

11. Schools shall comply with the cancellation and settlement policy outlined in this section, including promissory notes or contracts for tuition or fees sold to third parties.

12. When notes, contracts or enrollment agreements are sold to third parties, the school continues to have the responsibility to provide the training specified regardless of the source of any tuition, fees, or other charges that have been remitted to the school by the student or on behalf of the student.

O. Schools shall keep official transcripts for all teaching faculty to document that each has the appropriate educational credentials.

PART VI.

CERTIFICATION REQUIREMENTS.

8 VAC 40-31-170. Initial certification.

A. An institution shall not use the term "college" or "university" until it has received acknowledgment from SCHEV that the name is not in violation of 8 VAC 40-31-20.

1. A school seeking certification must notify SCHEV of its proposed name prior to filing such name with the State Corporation Commission.

2. Prior to receiving certification to operate, a copy of the school's certificate from the Virginia State Corporation Commission authorizing it to transact business in the Commonwealth under the acknowledged name must be submitted.

B. A school shall not operate in the Commonwealth of Virginia without first receiving certification to operate from the council. Certified schools shall not enter into any agreement to deliver or develop courses or programs of study in Virginia with noncertified postsecondary schools.

C. Schools submitting their initial application for certification will have 180 days to complete the application process, after which time their applications will be withdrawn by the council and they will receive a refund of the application fee minus the nonrefundable handling charge of \$300.

D. All certifications shall expire on the certificate expiration date. Applications for recertification must be submitted to SCHEV at least 60 days prior to the expiration date of the current certification.

E. Certification is not transferable. In the event of a change of ownership of a certified school, the new owner or governing body must secure certification. The school must apply for certification within 45 business days following a change of ownership. During the 45-day period and the time required for

the council to process the new application, up to and not exceeding 90 days, the old certification remains in effect provided that there are no changes in the academic or course work programs, policies, or financial considerations such that the change would constitute or create a violation of SCHEV's policies.

F. SCHEV will process all applications and provide notice to applicants within 45 business days of receipt of a completed application package.

G. Certificate valid dates and recertification due dates are as follows:

1. Out-of-state private degree granting and career-technical school certificates are valid for one year beginning on September 1 of the calendar year and ending on August 31 of the following calendar year. Applications are due not later than July 2.
2. Out-of-state public institution certificates are valid for one year beginning on September 15 of the calendar year and ending on September 14 of the following calendar year. Applications are due not later than July 16.
3. In-state private nonprofit institution certificates are valid for one year beginning on October 1 of the calendar year and ending on September 30 of the following calendar year. Applications are due not later than August 2.
4. In-state proprietary degree-granting and academic-career-technical school certificates are valid for one year beginning on October 15 of the calendar year and ending on October 14 of the following calendar year. Applications are due not later than August 16.
5. In-state proprietary career-technical school certificates (letters A-D) are valid for one year beginning on November 1 of the calendar year and ending on October 31 of the following calendar year. Applications are due not later than September 2.
6. In-state proprietary career-technical school certificates (letters E-P) are valid for one year beginning on November 15 of the calendar year and ending on November 14 of the following calendar year. Applications are due not later than September 16.
7. In-state proprietary career-technical school certificates (letters Q-Z and others) are valid for one year beginning on December 1 of the calendar year and ending on November 30 of the following calendar year. Applications are due not later than October 2.

8 VAC 40-31-180. Application requirements.

A. Each certification to operate attests that the school is in compliance with Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia and with this chapter.

B. To apply for certification, the following information must be submitted:

1. A completed certification application form provided by SCHEV.
2. A statement regarding the school's accreditation status.

a. Career-technical schools must provide a statement that the courses of study offered conform to state, federal, trade, or manufacturing standards of training for the occupational fields in which such standards have been established or that courses conform to recognized training practices in those fields.

b. Out-of-state institutions and career-technical schools requesting certification must be accredited by an accrediting organization recognized by the United States Department of Education.

c. Unaccredited institutions that offer courses for degree credit and existing out-of-state career-technical schools must submit a plan of action for securing accreditation from an organization recognized by the United States Department of Education, including the name of the accrediting organization and timeframe. In order to remain eligible for certification, the postsecondary school must secure, at a minimum, candidacy status or equivalent within three years of its initial date of certification, and initial accreditation no later than six years after initial certification.

d. Unaccredited institutions that undergo a change of ownership during the time period covered by the plan of action for securing accreditation, and that wish to remain eligible for certification under new ownership, will remain on the plan of action timeframe established by the former ownership. This plan of action timeframe begins from the initial date of certification under the former ownership and encompasses the accreditation dates established in the plan of action put into place by the former ownership. No additional time will be granted for obtaining the minimum level of accreditation required of the plan of action due to the change in ownership. Changes to the plan of action timeframe for accreditation will not be granted except at the discretion of the council.

3. A transacted surety instrument form.

4. A completed checklist, signed and dated, acknowledging full compliance with certification criteria, along with a notarized attestation statement signed by the chief executive officer or equivalent.

5. A company check in the correct, nonrefundable amount made payable to the Treasurer of Virginia.

6. A copy of the school's certificate, if incorporated, from the State Corporation Commission providing authorization to transact business within the Commonwealth.

7. For schools whose main campus is not in Virginia, a copy of the school's authorization to operate from the state agency in which its main campus is domiciled.

8. A complete listing of all sites, along with their addresses, phone numbers (if applicable), and classes taught at the site.

9. For new postsecondary school applicants, a signed and notarized statement provided by the president or CEO, which attests to any previous involvement in the operation of a postsecondary school or any previous involvement by any administrator, owner, controlling shareholder, or

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member of the school's governing board in the operation of a postsecondary school. At a minimum, this statement shall include the name(s) of previous schools, the dates of the involvement, the positions held within the school, the location, the status (open/closed, and accredited/nonaccredited) of the school, any known violation of financial aid rules by the school, any known violations of the policies of an accreditor of the school, any bankruptcy filings by the school, and conviction or civil penalty levied by any legal entity in connection with this or any other educational entity he was employed by or invested in.

10. A complete list of all diploma, certificate, or degree program offerings during the valid period of the certification. This list shall consist of the number of hours required for completion of each program, the Classification of Instructional Programs (CIP) Code where applicable, and the type of program and degree.

a. New and unaccredited schools must also include their estimated annual enrollment projections and number of students per program; and

b. Schools that are renewing certificates to operate shall include from the previous year the following information:

(1) The number of degrees, certificates, or diplomas conferred for each type given by a school.

(2) The number of students graduating and the number enrolled.

(3) From follow-up surveys of graduates, the number of students reporting placement in jobs relating to their field of study within six months and one year of graduation.

C. An existing post-secondary school licensed by any other state agency empowered by the Code of Virginia to license the school, its teachers or curriculum, or both, must become certified prior to enrolling any student into a course for degree credit or program of study. The school must submit an application for certification to operate that shall contain all of the requirements outlined in 8 VAC 40-31-160 B and C.

D. When a branch campus or site of a school is under different ownership or different school name than the main campus of the school, the branch campus or site must submit an application for certification to operate and must pay a separate certification fee than the main campus of the school.

E. All proprietary postsecondary schools must provide evidence of a valid business license from the locality within which it seeks to operate. Upon confirmation that a school is operating without the required business license, council shall take action as required by § 23-276.15 of the Code of Virginia.

8 VAC 40-31-190. Withdrawal of application by a postsecondary school.

A. A school that has submitted an application to the council may withdraw that application without prejudice at any time.

B. Withdrawal of an application by a school shall result in revocation by the council of all authorizations associated with

that application that previously had been granted to the school.

C. A school that has withdrawn an application may submit, at any time and without prejudice, a new application to the council in accordance with Part V (8 VAC 40-31-130 et seq.) of this chapter.

D. A school that withdraws an application prior to receiving notification of certification will receive a refund of the filing fee minus a handling charge.

8 VAC 40-31-200. Audit requirements.

A. All certified postsecondary schools shall be subject to random periodic audits. The purpose of such audit is to verify compliance with certification criteria.

B. At the discretion of council staff, an audit review committee shall consist of the executive director or designee and may:

1. Include individuals with the experience in the disciplines in which the school provides instruction; and/or

2. Consist of council staff.

C. Audits shall be random or triggered by, but not limited to, the following events:

1. Staff concerns based on questionable initial or recertification application information.

2. Volume and frequency of negative student complaints or adverse publicity.

3. Difficulty securing accreditation within the specified time period.

4. Adverse action by the U.S. Department of Education or the school's accrediting agency.

5. A USDE composite financial responsibility score of less than 1.0.

D. Following an audit of the school, council staff will prepare a report with recommendations for review by the council. If a school is found noncompliant, the council may:

1. Determine no action is necessary and have the report filed;

2. Change the status to probationary certification and require remedial action(s) within a specified timeframe;

3. Revoke or suspend certification.

8 VAC 40-31-210. Duplication of and need for instruction for degree credit is irrelevant.

In considering a school's application, the council shall not take into account either duplication of effort by public and private schools in Virginia or need within the Commonwealth for the course for degree credit, program of study, or degree program for which certification is sought.

PART VII.
PROCEDURES FOR CONDUCTING FACT-FINDING
CONFERENCES AND HEARINGS.

8 VAC 40-31-220. Procedural rules for the conduct of fact-finding conferences and hearings (§§ 2.2-4019 through 2.2-4030 of the Code of Virginia).

A. Fact-finding conference; notification, appearance, conduct.

1. Unless there are emergency circumstances requiring immediate action, no certification application shall be denied, suspended or revoked except upon notice stating the proposed basis for such action and the time and place for a fact-finding conference.

2. If a basis exists for a refusal to certify or a suspension or a revocation of a certificate to operate, the council shall notify, by certified mail or by hand delivery, the interested parties at the address of record maintained by the council.

3. Notification shall include the basis for the proposed action and afford interested parties the opportunity to present written and oral information to the council that may have a bearing on the proposed action at a fact-finding conference. If there is no withdrawal, a fact-finding conference shall be scheduled at the earliest mutually agreeable date, but no later than 60 days from the date of the notification. Schools who wish to waive their right to a conference shall notify the council at least 14 days before the scheduled conference.

4. If after consideration of information presented during an informal fact-finding conference, a basis for action still exists, the interested parties shall be notified in writing within 60 days of the fact-finding conference, via certified or hand-delivered mail, of the decision and the right to a formal hearing. Parties to the conference may agree to extend the report deadline if more time is needed to consider relevant information.

B. Hearing; notification, appearance, conduct.

1. If, after a fact-finding conference, a sufficient basis still exists to deny, suspend or revoke a certification, interested parties shall be notified by certified mail or hand delivery of the proposed action and of the opportunity for a hearing on the proposed action. If an organization desires to request a hearing, it shall notify the council within 14 days of receipt of a report on the conference. Parties may enter into a consent agreement to settle the issues at any time prior to, or subsequent to, an informal fact-finding conference.

2. If an interested party or representative fails to appear at a hearing, the hearing officer may proceed in his absence and make a recommendation.

3. Oral and written arguments may be submitted to and limited by the hearing officer. Oral arguments shall be recorded in an appropriate manner.

C. Hearing location. Hearings before a hearing officer shall be held, insofar as practicable, in the county or city in which the school is located. Hearing officers may conduct hearings at locations convenient to the greatest number of persons or by telephone conference, videoconference or similar technology in order to expedite the hearing process.

D. Hearing decisions.

1. Recommendations of the hearing officer shall be a part of the record and shall include a written statement of the hearing officer's findings of fact and recommendations as well as the reasons or basis for the recommendations. Recommendations shall be based upon all the material issues of fact, law or discretion presented on the record.

2. The council shall review the recommendation of the hearing officer and render a decision on the recommendation within 30 days of receipt. The decision shall cite the appropriate rule, relief or denial thereof as to each issue.

E. Agency representation. The executive director's designee may represent the council in an informal conference or at a hearing.

PART VIII.
CRIMINAL PROSECUTION FOR VIOLATION; CIVIL
ENFORCEMENT.

8 VAC 40-31-230. Criminal prosecution for violation.

A. Any person, firm, association, postsecondary school, trust, or other entity that violates any provision of § 23-276.12 of the Code of Virginia or that, without certification from the council as provided in this chapter, offers or confers degrees, diplomas, certificates, programs, or courses of study shall be guilty of a class 1 misdemeanor.

B. Each degree, diploma, certificate, program, or course of study offered or conferred in violation of this chapter or each violation of the provisions of § 23-276.12 of the Code of Virginia shall constitute a separate offense.

C. The council shall take any action required by code to deter illegal or improper acts that may violate the requirement for school certification.

8 VAC 40-31-240. Civil enforcement.

Upon the determination of the council that any school, or its agents or representatives, is in violation of this chapter, the council may institute a proceeding in equity to enjoin the violation.

PART IX.
ADDITIONAL REGULATIONS.

8 VAC 40-31-250. Virginia law to apply to agreements.

The laws of Virginia shall govern any agreement, contract, or instrument of indebtedness executed between a postsecondary school and any person enrolling in any course or program offered or to be offered by a postsecondary school in Virginia and also between that postsecondary school and any person employed or offered employment by that postsecondary school in Virginia.

8 VAC 40-31-260. Fees.

A. All fees collected by council staff will be deposited in the State Treasury.

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B. All fees are nonrefundable with the exception of withdrawal of an application in which case all fees will be refunded minus a reasonable handling charge of \$300.

C. Fees must be paid with a company check and made payable to the Treasurer of Virginia.

D. The flat fee schedule is as follows:

Initial fee for all new institutions of higher education =	\$6,000
Initial fee for all new career-technical schools =	\$2,500
Annual fee for all unaccredited institutions of higher education =	\$6,000
Annual fee for all unaccredited out-of-state career-technical schools	\$2,500
Renewal fee for all postsecondary schools with gross tuition collected greater than \$150,000 =	\$2,500
Renewal fee for all postsecondary schools with gross tuition collected greater than \$100,000 but less than or equal to \$150,000 =	\$1,500
Renewal fee for all postsecondary schools with gross tuition collected greater than \$50,000 but less than or equal to \$100,000 =	\$1,000
Renewal fee for all postsecondary schools with gross tuition collected less than or equal to \$50,000 =	\$500
Late fee =	\$100/day for first 10 business days after expiration of annual certification (Maximum fee = \$1,000) (11th day institution notified to cease and desist and matter referred for prosecution)
Returned check fee =	\$35
Noncompliance administrative fees =	\$1,000 for each occurrence of noncompliance found as a result of audit
Initial or renewed exemption application/request for name acknowledgement/agent registration =	\$300
Nonrefundable handling charge (withdrawal of application) =	\$300

8 VAC 40-31-270. Receipt of applications, correspondence and other materials.

A. All applications, forms, letters or other materials relating to, or required by this chapter should be sent to:

State Council of Higher Education for Virginia
ATTN: Private and Out-of-State Postsecondary School Certification

James Monroe Building, 9th Floor
101 North Fourteenth Street
Richmond, Virginia 23219

B. The mail of items specified in subsection A of this section shall not constitute receipt of them by the council unless sent by registered or certified mail, return receipt requested.

8 VAC 40-31-280. Closure of a postsecondary school.

A. The council, on its own motion, may authorize a postsecondary school whose application for certification to operate is denied in accordance with 8 VAC 40-31-200 to continue to offer instruction for degree credit to all currently enrolled students until the end of the semester, quarter, or other academic term during which certification is denied.

B. The council, on its own motion, may authorize a school whose certification is revoked in accordance with 8 VAC 40-31-200 to offer the coursework necessary for all currently enrolled students to complete their programs and to award degrees to those students, provided that the school:

1. Offers degree coursework only to those students who were enrolled at the time the school's certification was revoked; and
2. Offers all necessary coursework on a schedule that permits all currently enrolled students to complete their programs in a reasonable period of time.

C. When a school decides to voluntarily cease operations, it must immediately inform the council of the following:

1. The planned date for the termination of operations.
2. The planned date and location for the transfer of student records.
3. The name and address of the organization to receive and manage the student records and the name of the official who is designated to manage transcript requests. The organization designated for the preservation of the student records may not be corporately connected to the closing school.
4. Arrangements for the continued education of currently enrolled students via teach-out agreement or other practical solution.
5. Rosters showing the name, address, and current academic status of enrolled students.

D. In the event of school closure or revocation of certification, the council may facilitate the transfer of student records to the designated repository.

E. The council shall be responsible for securing and preserving student records until the designated repository accepts them.

F. The council shall seek the advice of the Career College Advisory Board on matters relating to school closures.

8 VAC 40-31-290. Waiver by council.

The council may waive or modify the certification requirements for an accredited school if the council finds that such waiver or modification will not conflict with the intent of the regulations and that in light of the school's mission, literal application of such requirement(s) creates an unreasonable hardship on the school.

8 VAC 40-31-300. Freedom of Information Act to apply.

All materials submitted by a school in its application for approval or in response to a request by the council for pertinent information shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia) and shall be available for public inspection in accordance with the provisions of § 2.2-3704 of the Code of Virginia.

8 VAC 40-31-310. Student Tuition Guaranty Fund.

A. The executive director shall appoint in writing a Director of the Student Tuition Guaranty Fund.

B. The purpose of the fund is to reimburse tuition and fees due students at schools previously approved under § 22.1-321 of the Code of Virginia when the school ceases to operate.

C. Schools seeking initial certification after July 1, 2004, shall not be required to pay into the fund. All other schools that were certified to operate prior to July 1, 2004, under the provisions of § 22.1-321 of the Code of Virginia, shall be subject to the provisions valid at the time of certification.

D. A claim shall be made against the fund only if it arises out of the cessation of operation by a school on or after (insert the effective date of this chapter). If the school holds a surety bond or other guaranty instrument, the first priority shall be to file a claim against the guaranty instrument. Claims shall be filed with the director of the fund on forms prescribed by the council within three years after cessation of operation by the school. Claims filed after that are not considered. Within a reasonable time after receipt of a claim, the director shall give the school or its owners, or both, notice of the claim and an opportunity to show cause, within 30 days, why the claim should not be reimbursed in whole or part. The director may cause to be made other investigation of the claim as he deems appropriate or may base his determination, without further investigation, upon information contained in the records of the council.

E. The director's determination shall be in writing and shall be mailed to the claimant and the school or its owners, or both, and shall become final 30 days after the receipt of the determination unless either the claimant or the school, or its owners, within the 30-day period, files with the director a written request for a hearing. Upon request, a hearing shall be held and, subject to the authority of the director to exclude irrelevant or other inappropriate evidence, the claimant and the school or its owners may present such information as they deem pertinent.

F. The executive director shall administer the fund upon the following basis:

1. The assets of the fund may not be expended for any purpose other than to pay bona fide claims made against the fund;

2. All payments into the fund shall be maintained by the state comptroller who shall deposit and invest the assets of the fund in any savings accounts or funds that are federally or state insured, and all interests or other return on the fund shall be credited to the fund;

3. Payment into the fund shall be made in the form of a company or cashier's check or money order made payable to the "Student Tuition Guaranty Fund";

G. When a claim is allowed by the director, the executive director, as agent for the fund, shall be subrogated in writing to the amount of the claim and the executive director is authorized to take all steps necessary to perfect the subrogation rights before payment of the claim. Refunds will be made, first, to the lender issuing student financial aid or the guarantor of the loan, and second, to the student. In the event there was no financial aid involved, refunds will be made to the student.

8 VAC 40-31-320. Agent registration.

A. Agents representing noncertified accredited postsecondary schools must:

1. Register with the council prior to soliciting in Virginia; and
2. Pay an annual fee of \$300 per school represented for each registrant.

B. Agents representing noncertified unaccredited postsecondary schools shall not conduct business in Virginia.

C. Agents operating sites in Virginia must seek council certification.

D. Agent permits expire on December 31 of each calendar year. An application for an agent permit renewal must be submitted to SCHEV at least 60 days prior to the expiration date.

NOTICE: The forms used in administering 8 VAC 40-31, Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the State Council of Higher Education for Virginia, 101 N. 14th Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

Institutional Certification Application Form: Religious Exemption (rev. 10/04).

Institutional Certification Application Form (rev. 11/04).

Institutional Certification Checklist for Institutions of Higher Education (rev. 10/04).

Institutional Certification Checklist for Postsecondary Schools (rev. 11/04).

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Institutional Sites Listing (rev. 11/04).

Acknowledgement of Prior Postsecondary Involvement (rev. 11/04).

Surety Bond Calculation Worksheet.

Surety Bond (rev. 11/04).

Sample Clean Irrevocable Letter of Credit; Surety Information and Bond Checklist.

Certificate, Diploma, or Degree Program Information (rev. 11/04).

Chart of Accounts; Income Statement; Balance Sheet.

Change of Location Application.

Change of Ownership Application.

Buyer/Seller Affidavit and Certification.

Statement of Responsibility of Refund Liability.

Report on the Closing of a Campus.

Institutional Change of Name Application.

Private Nonprofit School Financial Composite Score Calculation Worksheet.

Proprietary School Financial Composite Score Calculation Worksheet.

VA.R. Doc. No. R05-77; Filed February 13, 2006, 11:13 a.m.

FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

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

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Notice of Suspension of Regulatory Process and Reopening of Public Comment Period

Title of Regulation: 9 VAC 5-50. **New and Modified Stationary Sources (amending 9 VAC 5-50-250, 9 VAC 5-50-270 and 9 VAC 5-50-280).**

Permits for Stationary Sources (amending 9 VAC 5-80-1100, 9 VAC 5-80-1110, 9 VAC 5-80-2000 through 9 VAC 5-80-2020, 9 VAC 5-80-2040 through 9 VAC 5-80-2070, 9 VAC 5-80-2090, 9 VAC 5-80-2110 through 9 VAC 5-80-2140, 9 VAC 5-80-2180, and 9 VAC 5-80-2200 through 9 VAC 5-80-2240; adding 9 VAC 5-80-1605 through 9 VAC 5-80-1865, 9 VAC 5-80-1925 through 9 VAC 5-80-1995, 9 VAC 5-80-2091, and 9 VAC 5-80-2141 through 9 VAC 5-80-2144; repealing 9 VAC 5-80-1310 and 9 VAC 5-80-1700 through 9 VAC 5-80-1970).

Notice is hereby given in accordance with § 2.2-4007 K of the Code of Virginia that the State Air Pollution Control Board is suspending the effective date of amendments to its regulations entitled: Regulations for the Control and Abatement of Air Pollution, specifically the provisions concerning major new source review reform (9 VAC 5-50 and 9 VAC 5-80, Revision E03) and seeking comment on the changes made from publication of the proposed amendments to publication of the final amendments.

Background and Notice of Reopening: In 21:22 VA.R. 3003-3083 July 11, 2005, the board published for public comment a proposal to amend its regulations concerning major new source review reform. In response to that request, comments were submitted that resulted in several changes being made to the original proposal. On December 8, 2005, the board adopted final amendments to its regulations concerning major new source review reform, with an effective date of February 22, 2006. The final regulation amendments as adopted were published in the Virginia Register in 22:10 VA.R. 1562-1637 January 23, 2006. Pursuant to § 2.2-4007 K of the Code of Virginia, at least 25 persons requested an opportunity to submit oral and written comments on the changes to the proposed regulation. Because of the substantive nature of these additional changes and the requests from petitioners, the board is now reopening the proposal (Revision E03) for public comment on those changes to the final regulation and suspending the effective date of the final regulation. THE BOARD IS RECEIVING COMMENT ONLY ON THE CHANGES THE BOARD MADE TO THE PROPOSED REGULATION TO MAKE IT FINAL. THESE CHANGES ARE SHOWN IN BRACKETS IN THE FINAL VERSION OF THE REGULATION PUBLISHED IN THE VIRGINIA REGISTER

ON JANUARY 23, 2006. ONLY COMMENTS RECEIVED IN RESPONSE TO THIS NOTICE WILL BE CONSIDERED IN MAKING THE DECISION ON THE FINAL REGULATIONS. COMMENTS MADE IN RESPONSE TO THE ORIGINAL NOTICE OF PUBLIC COMMENT ISSUED ON JULY 11, 2005, WILL NOT BE RECONSIDERED IN MAKING THE DECISION ON THE FINAL REGULATIONS.

Identification of Substantive Changes: The petitions submitted under § 2.2-4007 K of the Code of Virginia have identified the following as the change that will have a substantial impact and is of concern:

The proposed regulations excluded emission increases that could be accommodated and are unrelated to the project, including demand growth, from projected actual emissions. This exclusion was removed from the final regulation. [9 VAC 5-80-1615 C (definition of "projected actual emissions," subdivisions b, c and d), 9 VAC 5-80-1785 B 1 c, 9 VAC 5-80-2010 C (definition of "projected actual emissions," subdivisions b, c and d), 9 VAC 5-80-2091 B 1 c]

Request for Comments: Along with suspending the effective date of the regulatory action (Revision E03), the purpose of this notice is to provide the public with the opportunity to comment on changes made to the proposed regulation. DEQ accepts written comments by e-mail, facsimile transmission and postal mail. In order to be considered, written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the day of the public meeting. Due to problems with the quality of facsimile transmissions, commenters are encouraged to provide the signed original by postal mail within one week. Both oral and written comments are accepted at the public meeting. DEQ prefers that comments be provided in writing, along with any supporting documents or exhibits. All testimony, exhibits and documents received are part of the public record.

Public Meeting: A public meeting will be held by DEQ to accept public testimony on changes made to the proposed regulation on April 5, 2006, at 9 a.m. at the Department of Environmental Quality, 629 East Main Street, First Floor Conference Room, Richmond, Virginia

Contact for Public Comments, Document Requests and Additional Information: Karen G. Sabasteanski, Policy Analyst, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, phone (804) 698-4426, fax (804) 698-4510, e-mail kgsabastea@deq.virginia.gov.

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

To Review Regulation Documents: The proposal and any supporting documents are available on the Town Hall website (www.townhall.virginia.gov) and the DEQ Air Public Notices for Regulations website (<http://www.deq.virginia.gov/air/permitting/regnotes.htm>). The

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documents may also be obtained by contacting the DEQ contact named above. The public may review the documents between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period at the following locations:

DEQ Central Office
629 E. Main Street, 8th Floor
Richmond, Virginia
Ph: (804) 698-4070

Southwest Regional Office
Department of Environmental Quality
355 Deadmore Street
Abingdon, Virginia
Ph: (540) 676-4800

West Central Regional Office
Department of Environmental Quality
3019 Peters Creek Road
Roanoke, Virginia
Ph: (540) 562-6700

South Central Regional Office
Department of Environmental Quality
7705 Timberlake Road
Lynchburg, Virginia
Ph: (804) 582-5120

Valley Regional Office
Department of Environmental Quality
4411 Early Road
Harrisonburg, Virginia 22801
Ph: (540) 574-7800

Fredericksburg Satellite Office
Department of Environmental Quality
806 Westwood Office Park
Fredericksburg, Virginia 22401
Ph: (540) 899-4600

Northern Regional Office
Department of Environmental Quality
13901 Crown Court
Woodbridge, Virginia
Ph: (703) 583-3800

Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

VA.R. Doc. Nos. R03-181 and R04-189; Filed February 15, 2006, 11:37 a.m.



TITLE 17. LIBRARIES AND CULTURAL RESOURCES

DEPARTMENT OF HISTORIC RESOURCES

Title of Regulation: **17 VAC 10-30. Historic Rehabilitation Tax Credit (adding 17 VAC 10-30-10 through 17 VAC 10-30-160).**

Statutory Authority: §§ 10.1-2202 and 58.1-339.2 of the Code of Virginia.

Effective Date: April 5, 2006.

Agency Contact: Virginia E. McConnell, Manager, Office of Preservation Incentives, Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221, telephone (804) 367-2323, FAX (804) 367-2391 or e-mail virginia.mccconnell@dhr.virginia.gov.

Summary:

The regulations formally implement enabling legislation for the Virginia Historic Rehabilitation Tax Credit program. They will provide clear guidance to Virginia taxpayers about eligibility for the program, application requirements and procedures, review standards, appeal procedures, and coordination with the federal Certified Historic Rehabilitation program. The only substantial change from the proposed regulations specifically disallows the credit for expenditures that are made by government agencies or are financed by an obligation of the Commonwealth.

CHAPTER 30.

HISTORIC REHABILITATION TAX CREDIT.

17 VAC 10-30-10. Definitions.

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

"Certified historic structure" means a building listed on the Virginia Landmarks Register, or certified by the Director of the Virginia Department of Historic Resources as contributing to the historic significance of a historic district that is listed on the Virginia Landmarks Register, or certified by the Director of the Department of Historic Resources as meeting the criteria for listing on the Virginia Landmarks Register. Portions of buildings, such as single condominium apartment units, are not independently eligible for certification. Rowhouses, even with abutting or party walls, are eligible for certification.

"Certified rehabilitation" means any rehabilitation of a certified historic structure that is certified by the Department of Historic Resources as consistent with The Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67).

"Completion year" means the calendar year in which the last eligible rehabilitation expense is incurred or the final certificate of occupancy (if appropriate) is issued.

"Department" means the Virginia Department of Historic Resources.

"Eligible rehabilitation expenses" means expenses incurred [by a taxpayer] in the material rehabilitation of a certified historic structure and added to the property's capital account.

"Historic district" means any district listed on the Virginia Landmarks Register by the Historic Resources Board according to the procedures specified in Chapter 22 (§ 10.1-2200 et seq.) of Title 10.1 of the Code of Virginia.

"Inspection" means a visit by an authorized representative of the Department of Historic Resources to a property for the purposes of reviewing and evaluating the significance of the structure and the ongoing or completed rehabilitation work.

"Material rehabilitation" means improvements or reconstruction consistent with The Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67), the cost of which amounts to at least 50% of the assessed value of the building for local real estate tax purposes for the year prior to the initial expenditure of any rehabilitation expenses, unless the building is an owner-occupied building, in which case the cost shall amount to at least 25% of the assessed value of such building for local real estate tax purposes for the year prior to the initial expenditure of any rehabilitation expenses. Material rehabilitation does not include enlargement or new construction.

"Owner" means the person, partnership, corporation, public agency, or other entity holding a fee simple interest in a property, or any other person or entity recognized by the Department of Taxation for purposes of the applicable tax benefits.

"Owner-occupied building" means any building, at least 75% of which is used as a personal residence by the owner, or which is available for occupancy by the owner for at least 75% of the year.

"Plan of rehabilitation" means a plan pursuant to which a certified historic structure will be materially rehabilitated.

"Property" means a building and its site and landscape features.

"Rehabilitation" means the process of returning a building or buildings to a state of utility, through repair or alteration, which makes possible an efficient use while preserving those portions and features of the building and its site and environment which are significant to its historical, architectural, and cultural values as determined by the Department of Historic Resources.

"Standards for Rehabilitation" means The Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67), established by the United States Department of the Interior.

"Start of rehabilitation" means the date upon which the taxpayer applies for the building permit for the work contemplated by the plan of rehabilitation, or the date upon which actual work contemplated by the plan of rehabilitation begins.

"Virginia Landmarks Register" means the list of historic landmarks, buildings, structures, districts, objects, and sites designated by the Virginia Landmarks Board, in accord with

the procedures specified in Chapter 22 (§ 10.1-2200 et seq.) of Title 10.1 of the Code of Virginia.

17 VAC 10-30-20. Introduction to certifications of significance and rehabilitation.

A. Individuals, estates, partnerships, trusts, or corporations may apply for certification of historic significance and certification of rehabilitations.

B. Requests for certifications of historic significance and of rehabilitations shall be made on the Historic Preservation Certification Application forms. Part 1 of the application, Evaluation of Significance, is used to request certification of historic significance. Part 2 of the application, Description of Rehabilitation, is used to request certification of a proposed rehabilitation project. Part 3 of the application, Request for Certification of Completed Work, is used to request certification of a completed rehabilitation project. If a rehabilitation project is completed before preparing Part 2 of the application, the applicant shall prepare Parts 2 and 3 simultaneously.

C. The Historic Preservation Certification Application forms are available from the Department of Historic Resources.

D. The department generally completes reviews of certification requests within 30 days of receiving a complete, adequately documented application. Where adequate information is not provided, the department will notify the applicant of the additional information needed to complete the review. The department will adhere to this time period as closely as possible, but it is not mandatory, and the failure to complete a review within the designated period does not waive or alter any certification requirement. Expedited review of projects is available upon request as set forth in 17 VAC 10-30-80.

E. Certifications are only given in writing by duly authorized officials of the Department of Historic Resources. Decisions with respect to certifications are made on the basis of the information contained in the application form and other available information.

17 VAC 10-30-30. Certifications of historic significance.

A. Any property owner may consult with the Department of Historic Resources to determine whether a property is listed individually on the Virginia Landmarks Register, or whether a property is located within a historic district that is listed on the Virginia Landmarks Register.

B. Properties listed individually on the Virginia Landmarks Register are certified historic structures.

C. For properties located in registered historic districts, the applicant shall request that the Department of Historic Resources determine whether the property is of historic significance to the district. The applicant shall prepare Part 1 of the Historic Preservation Certification Application form according to the instructions accompanying the application, including:

1. Name and mailing address of the owner;
2. Name and address of the property;
3. Name of the historic district;

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4. Current photographs of the building and its site, showing exterior and interior features and spaces adequate to document the property's significance;

5. Brief description of the appearance of the property, including alterations, characteristic features, and estimated date or dates of construction;

6. Brief statement of significance, summarizing how the property reflects the recognized historic values of the historic district;

7. Map showing the location of the property within the historic district; and

8. Signature of the owner requesting certification.

D. Properties containing more than one building, where the department determines that the buildings have been functionally related historically to serve an overall purpose, such as a mill complex or a residence and carriage house, will be treated as a single certified historic structure, whether the property is individually listed in the Virginia Landmarks Register or is located within a registered historic district. Buildings that are functionally related historically are those that have functioned together to serve an overall purpose during the property's period of significance.

E. Properties within registered historic districts will be evaluated to determine if they contribute to the historic significance of the district by application of the standards set forth in 17 VAC 10-30-40.

F. Owners of properties that are not listed on the Virginia Landmarks Register may request a determination from the department as to whether the property meets the criteria for listing on the Virginia Landmarks Register. The department will provide written notification to the applicant of determinations of eligibility. Individual properties determined by the department to be eligible for listing in the Virginia Landmarks Register are certified historic structures.

G. Owners of properties that are located in potential historic districts may request preliminary determinations from the department as to whether the potential historic district meets the criteria for listing on the Virginia Landmarks Register. Owners of properties located in districts determined to be eligible for listing may apply for preliminary certification of their properties, as specified in 17 VAC 10-30-40. Applications for preliminary certification of buildings within eligible historic districts must show how the district meets the criteria for listing on the Virginia Landmarks Register, and how the property contributes to the significance of that district, as specified in 17 VAC 10-30-40. Preliminary certifications will become final, and the properties will become certified historic structures, as of the date of listing the district on the Virginia Landmarks Register. Issuance of preliminary certification does not obligate the department to nominate the potential district. Applicants proceed with rehabilitation projects at their own risk; if the historic district is not listed in the Virginia Landmarks Register, the preliminary certification will not become final.

H. Owners of properties that have received preliminary certifications may apply for certification of rehabilitation projects, as specified in 17 VAC 10-30-50. Final certifications

of rehabilitations will be issued only for certified historic structures.

I. A request for certification of historic significance may be submitted by an applicant who is not the owner of the property in question. In such cases, the applicant shall include a signed statement from the owner acknowledging the request for certification.

J. The Department of Historic Resources discourages the moving of historic buildings from their original sites. Under certain circumstances the relocation of historic buildings may be part of a historic rehabilitation project that can be certified. Building owners are advised that the relocation of a building that is listed in the Virginia Landmarks Register may result in removal of the building from the Register. The relocation of a building that has been determined eligible for listing in the Virginia Landmarks Register may result in the loss of its eligibility. The relocation of a historic building into, from, or within a historic district or to or from an individual property listed in the Virginia Landmarks Register, or that has been found eligible for listing, may result in removal of the district or property from the Register, loss of the eligibility of the district or property, or loss of the moved building's contributing status within the district or as part of the property. For historic rehabilitation projects involving moved buildings, the following procedures apply:

1. When a building is to be moved as part of a historic rehabilitation project for which certification is sought, the owner shall contact the department prior to moving the building, and shall follow procedures specified by the department. When a building is moved, every effort should be made to reestablish its historic orientation, immediate setting, and general environment. In certain special cases, when there is adequate documentation about the building before its relocation and about the moving process, it may be possible to certify historic rehabilitation projects involving moved buildings when participation of the department prior to the move did not occur. However, this approach is not recommended, and owners pursue it at their own risk.

2. For individual properties and properties in historic districts not listed in the Virginia Landmarks Register or not previously found eligible for listing, prior to the move the owner shall submit Part 1 of the historic rehabilitation application to the department, according to subsections C, F, and G of this section.

3. For individual properties and properties in historic districts listed in the Virginia Landmarks Register or found eligible for listing, prior to the move the owner shall submit documentation to the department to determine whether the move is likely to result in the loss of listing or loss of eligibility for listing. Guidance on the type of documentation required can be obtained from the department.

4. Following the relocation of the building and its installation on a new site, reevaluation of the building will be necessary to determine whether it can become a certified historic structure. The owner shall submit Part 1 of the historic rehabilitation application to the department, according to subsections C, F, and G of this section, presenting information about the building in its new location.

5. The relocation of a historic building into, from, or within a listed or eligible historic district, or to or from an individually listed or eligible property, may result in alterations to the boundary definitions of the district or property, and will change the inventory of buildings in the district or on the individual property. The applicant for certification of the historic rehabilitation project involving building relocation will be responsible for amending the district or property information and nomination accordingly, following guidance provided by the department.

17 VAC 10-30-40. Standards for evaluating significance within registered historic districts.

A. Some properties listed in the Virginia Landmarks Register, primarily historic districts, are resources whose concentration or continuity possesses greater historical significance than many of their individual component buildings and structures. These usually are documented as a group rather than individually. Accordingly, this type of documentation is not conclusive for the purposes of this part. The applicant shall supplement this documentation using Part 1 of the Historic Preservation Certification Application, providing information on the significance of the specific property, as set forth in 17 VAC 10-30-30 C.

B. The Department of Historic Resources evaluates properties located within registered historic districts to determine if they contribute to the historic significance of the district by applying the following standards:

1. A property contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling, and association adds to the district's sense of time and place and historical development.
2. A property not contributing to the historic significance of a district is one that does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, feeling and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.
3. Ordinarily buildings that have been built within the past 50 years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than 50 years old.

C. Certifications of significance will be made on the appearance and condition of the property before the beginning of the rehabilitation work.

D. If a nonhistoric surface material obscures a building's facade, it may be necessary for the owner to remove a portion of the surface material before requesting certification so that a determination of significance can be made. After the material has been removed, if the obscured facade has retained substantial historic integrity and the property otherwise contributes to the significance of the historic district, it will be determined to be a certified historic structure.

17 VAC 10-30-50. Certifications of rehabilitation.

A. Applicants requesting certification of rehabilitation projects shall comply with the procedures listed below. A fee, described in 17 VAC 10-30-80, is charged by the Department of Historic Resources for reviewing all proposed, ongoing, and completed rehabilitation work. No certification decisions shall be issued to any applicant until the appropriate remittance is received. Applicants may request the department's review before, during, or after completion of a rehabilitation project. Applicants are strongly encouraged to request the department's review before beginning a rehabilitation project.

1. To request review of a rehabilitation project, the project applicant shall submit Part 2 of the Historic Preservation Certification Application form according to the instructions accompanying the application. Documentation, including photographs adequate to document the appearance of the structure, both on the interior and the exterior, and its site and environment before rehabilitation, shall accompany the application. Other documentation, including plans, specifications, and surveys, may be required to evaluate certain rehabilitation projects. Where necessary documentation is not provided, review and evaluation may not be possible and a denial of certification will be issued on the basis of lack of information. Because the circumstances of each rehabilitation project are unique, certifications that may have been granted to other rehabilitations are not specifically applicable and may not be relied on by applicants as applicable to other projects.

2. To request certification of a completed rehabilitation project, the applicant shall submit Part 3 of the Historic Preservation Certification Application, "Request for Certification of Completed Work," according to the instructions accompanying the application, and provide documentation that the completed project is consistent with the work described in Part 2. This documentation includes but is not limited to:

- a. Name and mailing address or addresses of the owner or owners;
- b. Name and address of the property;
- c. Photographs of the property showing the completed rehabilitation work, including exterior and interior features and spaces, sufficient to demonstrate that the completed work is consistent with the standards for rehabilitation;
- d. Assessed value of the building in the year preceding the start of rehabilitation;
- e. Final costs attributed to the rehabilitation work;
- f. When rehabilitation expenses exceed \$100,000, certification by a certified public accountant or equivalent of the actual costs attributed to the rehabilitation of the historic structure; and
- g. Signature of the applicant.

B. Each rehabilitation project shall be done according to a plan of rehabilitation. Although the department has not set any formal requirements for a plan of rehabilitation, every plan shall include, at a minimum, the name of the owner of the

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property, the location of the property, and a description of the proposed, ongoing, or completed rehabilitation project. A plan of rehabilitation must provide the department with sufficient information to determine whether the rehabilitation qualifies for certification. The burden is on the applicant to supply sufficient information for the department to make a determination.

C. A rehabilitation project for certification purposes encompasses all work on the interior and exterior of the certified historic structure or structures and its site and environment, as well as related demolition, new construction or rehabilitation work that may affect the historic qualities, integrity, site, landscape features, and environment of the property.

1. All elements of the rehabilitation project shall be consistent with the standards for rehabilitation, as set forth in 17 VAC 10-30-60. Portions of a project that are not in conformance with the standards may not be exempted. In general, an applicant undertaking a rehabilitation project will not be held responsible for prior rehabilitation work not part of the current project, or rehabilitation work that was undertaken by previous owners.

2. Conformance to the standards will be determined on the basis of the application documentation and other available information by evaluating the property as it existed before the beginning of the rehabilitation project.

D. The department, on receipt of the complete application describing the rehabilitation project, shall determine if the project is consistent with the standards for rehabilitation. If the project does not meet the standards, the department shall advise the applicant of that fact in writing. Where possible, the department will advise the project applicant of necessary revisions to meet the standards.

E. Once a proposed or ongoing project has been approved, substantive changes in the work as described in the application shall be brought promptly to the attention of the department by written statement to ensure continued conformance to the standards.

F. An authorized representative of the department may inspect projects to determine if the work meets the standards for rehabilitation. The department reserves the right to make inspections at any time up to three years after completion of the rehabilitation and to revoke a certification, after giving the applicant 30 days to comment on the matter, if it is determined that the rehabilitation project was not undertaken as represented in the application and supporting documentation. The tax consequences of a revocation of certification will be determined by the Department of Taxation. [However, certification shall not be revoked for changes that are determined to have been made following good-faith completion of the project.]

17 VAC 10-30-60. Standards for rehabilitation.

A. The standards for rehabilitation are the criteria used to determine if a rehabilitation project qualifies as a certified historic rehabilitation. The intent of the standards is to promote the long-term preservation of a property's significance through the preservation of historic materials and features. The standards pertain to historic buildings of all materials,

construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings. The standards also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction. To be certified, a rehabilitation project shall be determined by the Department of Historic Resources to be consistent with the historic character of the structure or structures and, where applicable, the district in which it is located.

B. The standards for rehabilitation shall be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6. Deteriorated architectural features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing architectural features must be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If these resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the

future, the essential form and integrity of the historic property and its environment would be unimpaired.

C. The quality of materials, craftsmanship, and related new construction in a rehabilitation project should be commensurate with the quality of materials, craftsmanship, and design of the historic structure in question. Certain treatments, if improperly applied, or certain materials by their physical properties, may cause or accelerate physical deterioration of historic buildings. Inappropriate rehabilitation measures include, but are not limited to: improper masonry repointing techniques; improper exterior masonry cleaning methods; improper introduction of insulation where damage to historic fabric would result; and incompatible additions and new construction on historic properties. In almost all situations, these measures and treatments will result in denial of certification.

D. In certain limited cases, it may be necessary to dismantle and rebuild portions of a certified historic structure to stabilize and repair weakened structural members and systems. In these cases, the Department of Historic Resources will consider this extreme intervention as part of a certified historic rehabilitation if:

1. The necessity for dismantling is justified in supporting documentation;
2. Significant architectural features and overall design are retained; and
3. Adequate historic materials are retained to maintain the architectural and historic integrity of the overall structure.

E. The qualities of a property and its environment which qualify it as a certified historic structure are determined taking into account all available information, including information derived from the physical and architectural attributes of the building; these determinations are not limited to information contained in the Virginia Landmarks Register nomination reports.

17 VAC 10-30-70. Appeals.

A. A project applicant may appeal any denial of certification. A request for an appeal shall be made in writing to the Director of the Department of Historic Resources, 2801 Kensington Avenue, Richmond, Virginia 23221, within 60 days of receipt of the decision that is the subject of the appeal. It is not necessary for the applicant to present arguments for overturning a decision within this 60-day period. The applicant may request an opportunity to meet with the director, but all information that the applicant wishes the director to consider shall be in writing. The director shall consider the record of the decision in question, any further written submissions by the applicant, and other available information, and may consult with experts or others as appropriate. The director shall provide the applicant a written decision as promptly as circumstances permit. The appeal process is an administrative review of decisions made by the department; it is not an adjudicative proceeding.

B. In considering appeals, the director may take into account new information not previously available or submitted; alleged errors in professional judgment; or alleged prejudicial procedural errors. The director's decision may:

1. Reverse the appealed decision;
2. Affirm the appealed decision; or
3. Resubmit the matter to the department program staff for further consideration.

C. The decision of the director shall be the final administrative decision on the appeal. No person shall be considered to have exhausted his administrative remedies with respect to the certifications or decisions described in this part until the director has issued a final administrative decision in response to this section.

17 VAC 10-30-80. Fees for processing rehabilitation certification requests.

A. Fees are charged for reviewing rehabilitation certification requests in accordance with the following schedule:

Rehabilitation Costs	Part 2 Review Fee	Part 3 Review Fee
Less than \$50,000	Fee waived	\$100
\$50,000 - \$99,999	\$250	\$250
\$100,000 - \$499,999	\$400	\$400
\$500,000 - \$999,999	\$750	\$750
\$1 million or more	\$1,500	\$1,500

B. The department generally completes reviews of certification requests within 30 days of receiving a complete, adequately documented application. Upon request, [if the current workload at the department permits,] the department will review complete, fully documented applications within five days. [The director reserves the right to refuse requests for expedited review if the current workload at the department so warrants.] Fees are charged for such expedited review in accordance with the following schedule:

Rehabilitation Costs	Expedited Review Fee
Less than \$50,000	\$100
\$50,000 - \$99,999	\$250
\$100,000 - \$499,999	\$400
\$500,000 - \$999,999	\$750
\$1 million or more	\$1,500

C. Payment of fees for review of Parts 2 and 3 shall be made to the Department of Historic Resources when the applications are submitted. Certification decisions will not be issued until the appropriate remittances are received. Payment of fees for expedited review shall be submitted with the request for expedited review, and review shall not commence until such fee is paid. Fees are nonrefundable [, except in cases where the request for expedited review is refused].

D. In general, each rehabilitation of a separate certified historic structure will be considered a separate project for purposes of computing the size of the fee.

17 VAC 10-30-90. Forms.

Applications for certifications of buildings and rehabilitation projects are made with the Historic Preservation Certification

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Application, prepared by the Department of Historic Resources. The forms are available from the department.

17 VAC 10-30-100. Definition of rehabilitation project.

A. A certified historic structure shall be treated as having been materially rehabilitated only if the eligible rehabilitation expenses (as defined in 17 VAC 10-30-110) incurred in a 24-month period selected by the taxpayer ending with or within the completion year shall equal or exceed 50% of the assessed value of the building for local real estate tax purposes, determined for the year before the start of rehabilitation, unless the building is an owner-occupied building, in which case the eligible rehabilitation expenses shall amount to at least 25% of the assessed value of the building for local real estate tax purposes for the year before the start of rehabilitation.

B. In the case of any rehabilitation that may reasonably be expected to be completed in phases set forth in a plan of rehabilitation submitted contemporaneously with the Description of Rehabilitation, subsection A of this section shall be applied by substituting "60-month period" for "24-month period." A rehabilitation may reasonably be expected to be completed in phases if it consists of two or more distinct stages of development. The department may review each phase as it is presented, but a phased project cannot be designated a certified rehabilitation until all of the phases are completed. The applicant may elect to claim the credit allowable for each completed phase of a phased project, upon receipt from the department of written approval of the work completed for each phase. Any such initial claims will be contingent upon final certification of the completed project.

17 VAC 10-30-110. Eligible rehabilitation expenses.

A. Eligible rehabilitation expenses are those expenses incurred [by a taxpayer] in connection with a plan of rehabilitation on or after January 1, 1997, in the material rehabilitation of a certified historic structure and added to the property's capital account.

B. Once the material rehabilitation test is met, the eligible rehabilitation expenses upon which a credit can be claimed include:

1. Expenses incurred prior to the start of the 24-month measuring period as defined in 17 VAC 10-30-100 A, provided that the expenses were incurred in connection with the rehabilitation process that resulted in the material rehabilitation of the building;
2. Within the measuring period as defined in 17 VAC 10-30-100 A; and
3. After the end of the measuring period as defined in 17 VAC 10-30-100 A but prior to the completion of the project.

C. Amounts are properly chargeable to capital account if they are properly includable in computing the basis of real property under U.S. Department of the Treasury, Internal Revenue Code, Reg. § 1.46-3(c). Amounts treated as an expense and deducted in the year paid or incurred or amounts that are otherwise not added to the basis of real property do not qualify. Amounts incurred for [historic preservation consultant

fees,] architectural and engineering fees, site fees and other construction-related costs that are added to the basis of real property satisfy this requirement.

D. Certain expenses are not eligible rehabilitation expenses. These expenses are:

1. The cost of acquiring a building, any interest in a building (including a leasehold interest) or land. Interest incurred on a construction loan the proceeds of which are used for eligible rehabilitation expenditures (and which is added to the basis of the property) is not treated as a cost of acquisition.
2. Any expense attributable to an enlargement of a building.
 - a. A building is enlarged to the extent that the total volume of the building is increased. An increase in floor space resulting from interior remodeling is not considered an enlargement.
 - b. If expenditures only partially qualify as eligible rehabilitation expenditures because some of the expenditures are attributable to the enlargement of the building, the expenditures must be apportioned between the original portion of the building and the enlargement. The expenditures must be specifically allocated between the original portion of the building and the enlargement to the extent possible. If it is not possible to make a specific allocation of the expenditures, the expenditures must be allocated to each portion on a reasonable basis. The determination of a reasonable basis for an allocation depends on factors such as the type of improvement and how the improvement relates functionally to the building.

Example: A historic rehabilitation project includes a new rear wing. A new air-conditioning system and a new roof are installed on the building. A reasonable basis for allocating the expenditures among the two portions generally would be the volume of the historic building (excluding the new wing), served by the air-conditioning system or the roof, relative to the volume of the new wing that is served by the air-conditioning system and the roof.

3. Any expense attributable to the rehabilitation of a certified historic structure, or a building located in a registered historic district, which is not a certified rehabilitation.

4. Any expense incurred before January 1, 1997.

[5. Any expense not incurred by a taxpayer, including expenses incurred by a local government or any agency thereof, or by any agency, unit, or instrumentality of the Commonwealth.

6. Any rehabilitation expense financed, directly or indirectly, by an obligation of the Commonwealth of Virginia.]

E. The taxpayer may take into account eligible rehabilitation expenses created in connection with the same plan of rehabilitation by any other entity with an interest in the building. Where eligible rehabilitation expenses are created with respect to a building by an entity other than the taxpayer and the taxpayer acquires the building or a portion of the building to which the expenses were allocable, the taxpayer acquiring such property will be treated as having incurred the

eligible rehabilitation expenses actually created by the transferor, provided that no credit with respect to such qualified rehabilitation expenses is claimed by anyone other than the taxpayer acquiring the property.

F. A taxpayer who has incurred eligible rehabilitation expenses may elect to treat a tenant or tenants as having incurred these rehabilitation expenses, provided that the lease is for a term of at least five years. This election shall be made on the application for the certification of rehabilitation. For purposes of testing whether a rehabilitation is material, all eligible rehabilitation expenses will be counted. In the event the election is made to treat multiple tenants as having incurred rehabilitation expenses, the allocation of eligible rehabilitation expenses to these tenants shall be made in accordance with the relative square footage occupied by the tenants or the relative amounts of eligible rehabilitation expenses spent in connection with each tenant's space. Eligible rehabilitation expenses that are not readily allocable by specific space shall be allocated in a manner consistent with the allocation method chosen.

17 VAC 10-30-120. Qualification for credit.

Credits against tax shall be available for the material rehabilitation of a certified historic structure. Material rehabilitation means improvements or reconstruction consistent with the standards for rehabilitation, the cost of which amounts to at least 50% of the assessed value of the buildings for local real estate tax purposes for the year before the start of rehabilitation, unless the building is an owner-occupied building, in which case the cost shall amount to at least 25% of the assessed value of such building for local real estate tax purposes for the year before such rehabilitation expenses were incurred. An owner-occupied building is any building, at least 75% of which is used as a personal residence by the owner, or which is available for occupancy by the owner for at least 75% of the year. The assessed value of the building for local real estate tax purposes does not include any assessment for land. The determination of whether a rehabilitation has been material shall be made at the entity level, not at the partner or shareholder level.

Ex. 1. Certified historic structure has a 1996 tax assessment of \$20,000 for the land, \$80,000 for the building; and a 1997 assessment of \$20,000 for the land, \$70,000 for the building. Taxpayer submits a plan of rehabilitation on December 1, 1997. Taxpayer applies for a building permit for work to be done in accordance with the plan of rehabilitation on December 15, 1997. Taxpayer incurs eligible rehabilitation expenses in the amount of \$37,500 pursuant to the plan of rehabilitation. Rehabilitation is completed in 1999. Taxpayer is not entitled to a tax credit because taxpayer's eligible rehabilitation expenses (\$37,500) do not exceed 50% of the assessed value of the building in the year prior to the start of rehabilitation (\$40,000).

Ex. 2. Same facts as above, except taxpayer applies for the building permit on January 2, 1998. Eligible rehabilitation expenses (\$37,500) exceed 50% of the assessed value of the building in the year prior to the start of rehabilitation (\$35,000). Therefore, taxpayer is entitled to a credit of 20% (for completion in 1999) of \$37,500.

17 VAC 10-30-130. Amount and timing of credit.

A. The amount of the credit shall be determined by multiplying the total amount of eligible rehabilitation expenses incurred in connection with the plan of rehabilitation by 25%. Eligible rehabilitation expenses may include expenses in connection with the rehabilitation that were incurred prior to the start of rehabilitation. Further, eligible rehabilitation expenses may include expenses incurred prior to completion of a formal plan of rehabilitation provided the expenses were incurred in connection with the rehabilitation that was completed.

B. Complete, adequately documented Historic Preservation Certification Application forms must be received by the department within one year after the final expense is incurred or the final certificate of occupancy (if appropriate) is issued. Properties that do not meet the criteria for individual listing on the Virginia Landmarks Register must be located in registered historic districts by such date. Taxpayers are cautioned, however, that if Parts 1 and 2 of the Historic Preservation Certification Application forms are not submitted prior to beginning work on the rehabilitation, they proceed with the project at the risk that the building or the rehabilitation project will not be certified.

17 VAC 10-30-140. Entitlement to credit.

A. Effective for taxable years beginning on and after January 1, 1997, any individual, trust or estate, or corporation incurring eligible expenses in the rehabilitation of a certified historic structure shall be entitled to a credit against tax in the manner and amount set forth in these regulations. Credits granted to a partnership, electing small business corporation (S corporation), or limited liability company shall be passed through to the partners or shareholders, respectively. Credits granted to a partnership, electing small business corporation (S corporation), or limited liability company shall be allocated among partners or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners or shareholders mutually agree [~~as provided in an executed document~~]. [~~The document shall be signed by all members, partners or shareholders of the owning partnership, corporation, or limited liability company and shall be attached to the Request for Certification of Completed Work. The following form may be used:~~

~~The state historic rehabilitation tax credits shall be allocated among the members, partners or shareholders, as applicable as follows:~~

- ~~Member, partner or shareholder 1 _____x%~~
- ~~Member, partner or shareholder 2 _____y%~~
- ~~Member, partner or shareholder 3 _____z%~~
- ~~and so on through 100%~~

~~This document shall be executed by all necessary parties prior to the Request for Certification of Completed Work form.] The members, partners or shareholders at the end of the taxable year in which there is an entitlement to credit shall be allocated the state rehabilitation tax credits for which a project is certified [, as defined in this document] .~~

B. The Department of Historic Resources shall certify the amount of eligible rehabilitation expenses. The certification

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shall consist of a letter signed by an authorized representative of the department confirming that the rehabilitated property is a certified historic structure and that the rehabilitation is a certified historic rehabilitation, and shall specify the amount of eligible rehabilitation expenses, based on the Request for Certification of Completed Work form. The department's certification shall make reference to any partnership, S corporation, or limited liability company allocation document, as defined in subsection A of this section. A person with an interest in the property who materially rehabilitates a certified historic structure may apply for a certificate of material rehabilitation. Persons with an interest in the property include those individuals or entities that have a possessory interest in the property. The application for issuance of a certificate shall set forth the name of the individual or entity that will utilize the credit on its tax return. The taxpayer shall attach the certificate to the Virginia tax return on which the credit is claimed.

C. If the amount of the credit exceeds the taxpayer's tax liability for such taxable year, the amount that exceeds the tax liability may be carried over for credit against the income taxes of such taxpayer for the next ten taxable years or until the full credit is used, whichever occurs first. For purposes of passthrough entities (e.g., general and limited partnerships, limited liability companies, S corporations) this paragraph shall be applied to the partners, members or shareholders, as applicable.

17 VAC 10-30-150. Transition rules for projects begun before 1997.

A. Rehabilitation expenses incurred before January 1, 1997, do not qualify for a rehabilitation tax credit.

B. Applicants whose rehabilitation projects commenced before 1997, but were not completed until after January 1, 1997, may apply for certification of their rehabilitation work, in accordance with the provisions of 17 VAC 10-30-20, 17 VAC 10-30-30, and 17 VAC 10-30-50. In these cases, the tax credit is calculated as the appropriate percentage of expenses incurred on or after January 1, 1997.

C. For projects begun before January 1, 1997, the material rehabilitation test shall be determined by the entire project, rather than by those parts of the work completed on or after January 1, 1997.

17 VAC 10-30-160. Coordination with the federal certified historic rehabilitation program.

A. Certifications of properties and rehabilitation projects by the National Park Service, U.S. Department of the Interior, under Federal Law 36 CFR Part 67, are not equivalent to certification of properties and rehabilitation projects by the Virginia Department of Historic Resources under § 58.1-339.2 of the Code of Virginia, except as provided in subsection B of this section. Taxpayers are cautioned that deadlines and requirements for certifications under these state regulations may differ from deadlines and requirements for certifications under the federal program.

B. Certifications of historic significance of properties (Part 1, Historic Preservation Certification Application) by the National Park Service, U.S. Department of the Interior, dated after January 1, 1995, shall be accepted as equivalent of

certification of historic significance by the Virginia Department of Historic Resources under the provisions of 17 VAC 10-30-20.

NOTICE: The forms used in administering 17 VAC 10-30, Historic Rehabilitation Tax Credit, are not being published due to the number of pages; however, the name of each form is listed below. The forms are available for public inspection at the Department of Historic Resources, 2801 Kensington Avenue, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

State Historic Rehabilitation Tax Credit Program Historic Preservation Certification Application Part 1 - Evaluation of Significance, DHR Form TC-1 (rev. 8/02)

State Historic Rehabilitation Tax Credit Program Historic Preservation Certification Application Part 2 - Description of Rehabilitation, DHR Form TC-2 (rev. 8/02)

State Historic Rehabilitation Tax Credit Program Historic Preservation Certification Application Part 3 - Request for Certification of Completed Work, DHR Form TC-3 (rev. 8/02)

State Historic Rehabilitation Tax Credit Program Historic Preservation Certification Application Billing Statement, DHR Form TC-4 (rev. [~~8/02~~ 10/03])

Disclosure of Ownership - State Historic Rehabilitation Tax Credit Program Historic Preservation Certification Application, DHR Form TC-5 (rev. 8/02)

VA.R. Doc. No. R01-230; Filed February 9, 2006, 2:01 p.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF LONG-TERM CARE ADMINISTRATORS

REGISTRAR'S NOTICE: The Board of Long-Term Care Administrators is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Board of Long-Term Care Administrators will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **18 VAC 95-20. Regulations Governing the Practice of Nursing Home Administrators (amending 18 VAC 95-20-130).**

Statutory Authority: § 54.1-2400 and Chapter 31 (§ 54.1-3100 et seq.) of Title 54.1 of the Code of Virginia.

Effective Date: April 5, 2006.

Agency Contact: Sandra Reen, Executive Director, Board of Long-Term Care Administrators, 6603 West Broad Street, 5th

Floor, Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-9943 or e-mail sandra.reen@dhp.virginia.gov.

Summary:

The amendment establishes a \$35 fee for a check that is not paid by a financial institution on which it is drawn because of insufficient funds in the account to conform the regulation with § 2.2-614.1 of the Code of Virginia.

18 VAC 95-20-130. Additional fee information.

- A. There shall be a fee of ~~\$25~~ \$35 for returned checks.
- B. Fees shall not be refunded once submitted.
- C. Examination fees are to be paid directly to the service or services contracted by the board to administer the examinations.

VA.R. Doc. No. R06-193; Filed February 10, 2006, 1:29 p.m.

BOARD OF OPTOMETRY

REGISTRAR'S NOTICE: The Board of Optometry is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Board of Optometry will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 18 VAC 105-20. Regulations Governing the Practice of Optometry (amending 18 VAC 105-20-20).

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

Effective Date: April 5, 2006.

Agency Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9910, FAX (804) 662-7098, or e-mail elizabeth.carter@dhp.virginia.gov.

Summary:

The amendment establishes a \$35 fee for a check that is not paid by a financial institution on which it is drawn because of insufficient funds in the account to conform the regulation with § 2.2-614.1 of the Code of Virginia.

18 VAC 105-20-20. Fees.

A. Required fees.	
Initial application and licensure (including TPA certification)	\$300
Application for TPA certification	\$200
Annual licensure renewal without TPA certification	\$150
Annual licensure renewal with TPA certification	\$200
Late renewal without TPA certification	\$50
Late renewal with TPA certification	\$65
Returned check	\$25 \$35
Professional designation application	\$100
Annual professional designation renewal (per location)	\$50

Late renewal of professional designation	\$20
Reinstatement application fee (including renewal and late fees)	\$450
Reinstatement application after disciplinary action	\$500
Duplicate wall certificate	\$25
Duplicate license	\$10
Licensure verification	\$10

B. Unless otherwise specified, all fees are nonrefundable.

VA.R. Doc. No. R06-194; Filed February 10, 2006, 1:30 p.m.

BOARD OF PHYSICAL THERAPY

REGISTRAR'S NOTICE: The Board of Physical Therapy is claiming an exemption from the Administrative Process Act in accordance with (i) § 2.2-4006 A 2, which excludes regulations that establish or prescribe agency organization, internal practice or procedures, including delegations of authority and (ii) § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Board of Physical Therapy will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 18 VAC 112-20. Regulations Governing the Practice of Physical Therapy (amending 18 VAC 112-20-130 and 18 VAC 112-20-150).

Statutory Authority: § 54.1-2400 and Chapter 34.1 (§ 54.1-3473 et seq.) of Title 54.1 of the Code of Virginia.

Effective Date: April 5, 2006.

Agency Contact: Elizabeth Young, Executive Director, Board of Physical Therapy, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523 or e-mail elizabeth.young@dhp.virginia.gov.

Summary:

The amendments (i) establish a \$35 fee for a check that is not paid by a financial institution on which it is drawn because of insufficient funds in the account to conform the regulation with § 2.2-614.1 of the Code of Virginia and (ii) change the biennial license renewal date from a licensee's birth month to renewal for all licensees by December 31 to reconcile the renewal procedure with the fee provisions.

18 VAC 112-20-130. Biennial renewal of license.

A. A physical therapist and physical therapist assistant who intends to continue practice shall renew his license biennially ~~during his birth month~~ by December 31 in each even-numbered year and pay to the board the renewal fee prescribed in 18 VAC 112-20-150.

B. A licensee whose licensure has not been renewed by the first day of the month following the month in which renewal is required shall pay a late fee as prescribed in 18 VAC 112-20-150.

C. In order to renew an active license, a licensee shall be required to:

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1. Complete a minimum of 160 hours of active practice in the preceding two years; and
2. Comply with continuing competency requirements set forth in 18 VAC 112-20-131.

18 VAC 112-20-150. Fees.

A. Unless otherwise provided, fees listed in this section shall not be refundable.

B. Licensure by examination.

1. The application fee shall be \$140 for a physical therapist and \$100 for a physical therapist assistant.
2. The fees for taking all required examinations shall be paid directly to the examination services.

C. Licensure by endorsement. The fee for licensure by endorsement shall be \$140 for a physical therapist and \$100 for a physical therapist assistant.

D. Licensure renewal and reinstatement.

1. The fee for active license renewal for a physical therapist shall be \$135 and for a physical therapist assistant shall be \$70 and shall be due by December 31 in each even-numbered year. From January 1, 2006, through December 31, 2006, the fee for active license renewal fee shall be \$60 for a physical therapist and \$30 for a physical therapist assistant.
2. A fee of \$25 for a physical therapist assistant and \$50 for a physical therapist for processing a late renewal within one renewal cycle shall be paid in addition to the renewal fee.
3. The fee for reinstatement of a license that has expired for two or more years shall be \$180 for a physical therapist and \$120 for a physical therapist assistant and shall be submitted with an application for licensure reinstatement.

E. Other fees.

1. The fee for an application for reinstatement of a license that has been revoked shall be \$1,000.
2. The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.
3. The fee for a returned check shall be ~~\$25~~ \$35.
4. The fee for a letter of good standing/verification to another jurisdiction shall be \$10.

VA.R. Doc. No. R06-195; Filed February 10, 2006, 1:30 p.m.



TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

COMMONWEALTH TRANSPORTATION BOARD

<p>REGISTRAR'S NOTICE: The Department of Transportation is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4002 B 4 of the Code of Virginia, which exempts regulations relating to grants of state or federal funds or property.</p>
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Titles of Regulations: **24 VAC 30-400. Disposal of Limited Access Control (repealing 24 VAC 30-400-10 through 24 VAC 30-400-40).**

24 VAC 30-401. Change of Limited Access Control (adding 24 VAC 30-401-10 through 24 VAC 30-401-40).

Statutory Authority: § 33.1-58 of the Code of Virginia.

Effective Date: February 14, 2006.

Agency Contact: Stuart A. Waymack, Director, Right of Way and Utilities Division, Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-2923, FAX (804) 786-1706 or e-mail stuart.waymack@vdot.virginia.gov.

Summary:

This regulation establishes the rules pertaining to payment of damages to property owners abutting a new or existing highway when easements are extinguished. The regulation (i) makes requestors of changes in limited access subject to additional procedural and monetary requirements regarding such changes, (ii) establishes clear lines of authority for various levels of decision making, (iii) provides that public input be formally collected prior to Commonwealth Transportation Board action on request changes, and (iv) permits VDOT greater flexibility to issue instructions on implementation of the regulation.

CHAPTER 401.

CHANGE OF LIMITED ACCESS CONTROL.

24 VAC 30-401-10. Authority.

A. Pursuant to the authority granted by § 33.1-58 of the Code of Virginia, the Commonwealth Transportation Board (CTB) may designate all or any part of any existing or new highway as limited access, as the term "limited access highway" is defined in § 33.1-57 of the Code of Virginia, the designation of which requires the CTB to extinguish all easements of access, light or air. Actions regarding limited access control, including changes in control, require CTB approval. These changes typically include shifting, moving, or breaking control, or any combination of these, after a project is completed, finalized and serving in its intended capacity. The commissioner shall pay damages, if any, to owners of properties abutting the existing or new highway for the extinguishment of these rights. This chapter establishes the rules pertaining to change of limited access control.

B. The commissioner or his designee may issue additional instructions to implement this chapter.

24 VAC 30-401-20. Policy and conditions.

A. Any change in limited access that is not covered under the General Rules and Regulations of the Commonwealth Transportation Board (24 VAC 30-20-80) as authorized by the CTB or commissioner in the department's Land Use Permit Manual (24 VAC 30-150) is considered a change of limited access control.

B. Change of limited access control will be considered only in limited, special situations. The CTB will not consider a change in limited access control without a written determination from the chief engineer.

C. Any proposed change in limited access control shall, at a minimum, meet the following conditions:

1. Requests for limited access control changes shall be made in writing to the district administrator in charge of the construction district where the requested change in limited access control is proposed.

2. Requests must be accompanied by the following:

a. A resolution, letter of support, or formal request, or any combination of these, from the locality within which the highway is located where the change in limited access is proposed.

b. A global traffic analysis prepared by the requestor, which the department will review and approve prior to further action.

c. An environmental analysis of the proposed change in limited access provided by the requestor, which the department will review and approve prior to further action.

3. Prior to review by the department, requestors shall:

a. Pay for expenses associated with the department's posting of a Willingness for Public Comment notice to allow public input to be collected concerning the request prior to CTB action. If the requestor is a locality making a request for change in limited access control for public transportation purposes, the chief engineer may waive the requirement to pay for the posting.

b. Post a deposit sufficient to cover the estimated cost associated with considering the request, including the department's expenses in completing the required reviews, posting, approvals, and any other steps involved. The amount of the deposit will be determined by the estimated amount of research and engineering and the cost of the appraisal required to process the request prior to CTB approval. If the actual cost to consider the request exceeds the estimated cost, the requestor shall pay the department the difference. This sum is in addition to any monetary compensation required.

4. A determination by the chief engineer that the change will not adversely affect the safety or operation of the highway.

5. If the location of the request for limited access control change is in an area determined to be a nonattainment area for air quality, the district must verify that the proposed limited access change has been through an air quality conformity review.

D. If the proposed change in limited access does not meet the conditions set forth above, the chief engineer is authorized to deny the request. The chief engineer shall notify the requestor in writing of the denial and the right to a review by the CTB.

E. The chief engineer shall notify the CTB of all denials.

F. The requestor, within 30 days of the date of denial, and any CTB member may request the full CTB to review any denials for change of limited access.

G. Upon the date of CTB approval of the request, the requestor shall have 180 days to submit the monetary or other consideration, and to secure all necessary permits from the department. Failure to comply with these requirements within the specified period shall render the CTB approval void. The department will convey any necessary land rights as necessary to comply with the request.

24 VAC 30-401-30. Monetary compensation.

A. Monetary compensation or other valuable consideration shall be required for any change in limited access control. Compensation due the department for such change of limited access control shall be determined by an appraisal process approved by the commissioner or his designee. The compensation shall be determined by using the before and after evaluation to determine the enhancement, if any, to adjoining property or properties as a result of CTB change of access control. This compensation determination shall be in an amount determined by the commissioner or his designee.

B. The costs of providing any safety or operational improvements necessary for the safety of the traveling public will be borne by the party or parties granted a change in limited access control in addition to the compensation determined by the appraisal process. The commissioner or his designee shall approve any such compensation or other consideration, when all reviews and preliminary approvals are completed, and prior to CTB consideration. The chief engineer shall approve the necessary safety or operational improvements.

24 VAC 30-401-40. Federal Highway Administration approval.

If federal funds were used in right of way acquisition on interstate system projects, or if there is a significant change in the function or operation of the existing interstate system highway facility, and federal funds were used in construction, the Federal Highway Administration shall approve the change or break in access. This approval is required prior to any consideration by the CTB.

VA.R. Doc. No. R06-196; Filed February 14, 2006, 2:12 p.m.



GOVERNOR

EXECUTIVE ORDER NUMBER 7 (2006)

START STRONG COUNCIL

Importance of the Initiative

Early childhood education is critical to a child's success later in life. Early childhood education builds the foundation of a child's academic and economic success. Ninety percent of a child's brain growth is complete by age five. At present, too many children are unprepared by the time that they reach school. High quality preschool is vital to a child's success later in school and in life. There is a compelling educational and business case for high quality early education. It is critical that all of Virginia's children have the fundamental skills to read on grade level by the third grade and succeed in school.

Start Strong Council

By virtue of the authority vested in me by Article V of the Constitution of Virginia and Section 2.2-134 of the Code of Virginia, I hereby establish the Start Strong Council (the Council). The Council shall consist of 17 members to be appointed by the Governor. Such members shall include legislators, representatives from the public school system, private providers of early childhood education programs, elected local government officials, community business leaders, and parents. Additional members may be appointed at the Governor's discretion.

The Governor shall appoint the chairman of the Council, who shall be responsible for convening the council. The Council shall meet, at a minimum, quarterly to oversee the development of infrastructure for the Start Strong early childhood education programs in the Commonwealth and to make such decisions as may be necessary to work to implement the program.

Members of the Council shall serve without compensation. They may receive reimbursement for expenses incurred in the discharge of their official duties.

The Council shall have the following powers and duties:

1. Develop statewide goals and best practices for expanding opportunities for 4 year olds to access quality pre-kindergarten programs, and encourage communities to identify local strengths and challenges in reaching the statewide goals.
2. Oversee the development and implementation of guidelines for local Start Strong programs including, but not limited to, transportation arrangements and eligibility criteria for participating students, qualifications for instructional personnel and administrators, inclusion of privately operated preschool programs, and policies for communication and cooperation with local Head Start and at-risk programs and local school boards.
3. Develop guidelines for the award of grants to local Start Strong councils.
4. Advise the Governor, the Secretary of Education, and the Secretary of Health and Human Resources on proposed

policy and operational changes that facilitate interagency service development and implementation, communication and cooperation.

5. Identify and establish early childhood education goals for local Start Strong councils.

6. Recommend funding and strategies necessary to increase access to high quality preschool in the Commonwealth, in cooperation with local Start Strong councils.

7. Examine other issues as may seem appropriate.

Staff support shall be provided by the Office of the Governor, the Governor's cabinet secretaries, the Department of Education, and such other agencies as may be appropriate. An estimated 5,000 hours of staff time will be required to coordinate and support the work of the Council.

Effective Date of the Executive Order

This Executive Order shall become effective upon its signing and shall remain in full force and effect until January 16, 2007, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 16th day of January 2006.

/s/ Timothy M. Kaine
Governor

EXECUTIVE ORDER NUMBER 8 (2006)

CABINET RESPONSIBILITY FOR THE DEPARTMENT OF VETERANS SERVICES

Importance of the Issue

Veterans of the armed forces of the United States are a bedrock of the Commonwealth and its communities. They have defended freedom at home and abroad. Veterans have borne the battle to protect our way of life. It is incumbent upon state government to offer the highest possible level of services to Virginia's veterans. As home to the Pentagon, numerous major military commands, the world's largest naval base, and a substantial veterans community, the Commonwealth of Virginia has a special obligation to offer high quality services to veterans.

The 2003 General Assembly approved legislation creating a Department of Veterans Services. The legislation has consolidated services for veterans in one agency and improved the delivery of these services. The Commissioner of Veterans Services has a direct reporting relationship to the Governor when needed in crafting policy for serving veterans.

For organizational purposes, the Department of Veterans Services has been under the oversight of the Secretary of Administration. While this arrangement has served the Commonwealth and its veterans well, services could be further improved by co-locating the Department of Veterans Services in the same secretariat with the Department of Military Affairs. This will facilitate greater cooperation between the active duty military, the National Guard and Reserves, and

Virginia's services for veterans. This action will also promote greater accountability in state government for services to veterans and their families.

Transfer of the Department of Veterans Services to the Secretary of Public Safety

Section 2.2-203 of the Code of Virginia assigns the Department of Veterans Services to the Secretary of Administration. Section 2.2-203 also permits the Governor, by executive order, to assign any agency listed in this section to another secretary. Accordingly, I hereby transfer responsibility for the Department of Veterans Services from the Secretary of Administration to the Secretary of Public Safety.

Effective Date of the Order

This Executive Order shall become effective upon its signing and shall remain in full force and effect unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 18th day of January 2006.

/s/ Timothy M. Kaine
Governor

EXECUTIVE ORDER NUMBER 9 (2006)

**ENSURING ACCESS TO PRESCRIPTION DRUGS
FOR MEDICARE BENEFICIARIES**

Importance of the Issue

On January 1, 2006, the new Medicare Part D Prescription Drug Program, enacted by Congress and administered by the federal government, became effective. On this date, low-income seniors and people with disabilities eligible for both Medicaid and Medicare (dual eligibles) who previously received their prescription drug coverage through the Virginia Medicaid program began receiving their prescription drug coverage through the new federally administered Medicare Part D program.

The implementation of the Part D program by the federal Centers for Medicare and Medicaid Services (CMS) and some of the prescription drug plans (PDPs) has resulted in serious problems including: (i) inadequate capacity of the program to handle the volume of on-line data processing and telephone inquiries; (ii) eligibility verification problems; (iii) inaccurate beneficiary information; and (iv) incorrect co-payment amounts being charged to low-income seniors and other Part D beneficiaries. These problems have resulted in beneficiaries not being afforded the full benefits to which they are entitled. The most serious repercussion of the CMS and PDP problems has been reports of some seniors and people with disabilities, including dual eligibles, leaving the pharmacy without their medications. This is a particularly acute problem for dual eligibles since many of these individuals have complex mental and health care needs, and do not have the financial resources to pay higher co-payments.

Specific Directives

This situation is unacceptable and I therefore direct appropriate state agencies to take the necessary action to address the federal government's failures in this area. By the authority vested in me by Article V of the Constitution of Virginia and Title 2.2 of the Code of Virginia, I hereby direct the Secretaries of Finance and Health and Human Resources to take the necessary actions, consistent with state and federal law, to address this situation. Specifically, I hereby order the following:

A. Effective January 31, 2006, the Department of Medical Assistance Services shall institute the necessary programmatic and operational changes necessary to permit pharmacists to bill and receive reimbursement from the Virginia Medicaid Program for prescription drugs dispensed to dual eligibles in instances when the pharmacist is unable to have the prescription processed and paid through the Medicare Part D program.

B. The Department of Medical Assistance Services shall submit the appropriate waiver application to CMS to seek full reimbursement of the pharmacy claims and administrative costs incurred by the Commonwealth as a result of this action.

C. The Department of Medical Assistance Services shall cease payment of Medicare Part D prescription drugs through the Virginia Medicaid Program on the date that CMS terminates federal reimbursement of such costs.

Effective Date of the Order

This Executive Order shall be effective January 30, 2006, and shall remain in full force and effect until the date CMS terminates federal reimbursement of such costs, unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 31st day of January 2006.

/s/ Timothy M. Kaine
Governor

GENERAL NOTICES/ERRATA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Total Maximum Daily Loads (TMDLs) - Broad Run, South Run, Kettle Run, Occoquan River (below Lake Jackson), Little Bull Run, Bull Run, and Popes Head Creek

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of Total Maximum Daily Loads (TMDLs) to address impairments in the following seven watersheds: Broad Run, South Run, Kettle Run, Occoquan River (below Lake Jackson), Little Bull Run, Bull Run, and Popes Head Creek. The subject stream segments, all in the Occoquan Basin, are

identified in Virginia's 2004 305(b)/303(d) Report on Impaired Waters as impaired due to exceedances of the state's water quality criterion for fecal coliform bacteria. South Run, Bull Run, and Popes Head Creek are also listed as impaired due to violations of the general standard for state waters. (Please note that the Occoquan Reservoir is NOT impaired for bacteria or any other drinking water standard.)

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) list.

The impaired stream segments are located in Fairfax, Fauquier, and Prince William counties, and their location is set forth in the table below.

Occoquan Streams Impairments for TMDL Development						
Stream	County/City	Length (mi.)	Impairment	Upstream	Downstream	Road crossing
Broad Run	Prince William	7.26	Bacteria	Confluence of Rocky Branch	Confluence of Cannon Branch	Rte. 28
Broad Run	Prince William	1.51	Bacteria	Confluence of an unnamed tributary to Broad Run	Start of Lake Manassas	Rte. 29/211
Broad Run	Prince William	1.06	Bacteria	Confluence with Mill Run	Confluence with Trapp Run	Rte. 628
Kettle Run	Prince William	7.59	Bacteria	Confluence of an unnamed tributary to Kettle Run	Confluence with Broad Run	Rte. 619
South Run	Fauquier, Prince William	2.34	Bacteria, benthic	Downstream of Lake Brittle	Confluence with Lake Manassas	Rte. 215
Occoquan River	Prince William	1.61	Bacteria	Downstream of Lake Jackson	Confluence of Purcell Branch	Rte. 234
Little Bull Run	Prince William	3.03	Bacteria	Confluence with Catharpin Creek	Confluence with Lick Branch	Rte. 705
Bull Run	Prince William, Fairfax	4.8	Bacteria, benthic	Confluence of Cub Run to Bull Run	Confluence with Popes Head Creek	Rte. 28
Popes Head Creek	Fairfax	4.92	Bacteria, benthic	Confluence of Piney Branch	Confluence with Bull Run	Rte. 645

The third public meeting on the development of the Occoquan Basin Streams TMDLs will be held on Wednesday, March 15, 2006, at 6 p.m. at the Central Community Library located at 8601 Mathis Avenue, Manassas, VA 20110.

The public comment period for this phase of the TMDL study will begin on March 13, 2006, and end on April 12, 2006. Fact Sheets on the development of the TMDLs for the impairments referenced above are available upon request, or at <http://www.deq.virginia.gov/tmdl/>. Questions or information requests should be addressed to Bryant Thomas. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Bryant Thomas, Department of Environmental Quality

Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, FAX (703) 583-3841, or e-mail bhthomas@deq.virginia.gov.

Total Maximum Daily Load - Mattox Creek

Announcement of an effort to restore water quality in Mattox Creek in Prince George and Westmoreland counties, Virginia.

Public meeting: Abraham and William Cooper Memorial Branch Library, 20 Washington Avenue, Colonial Beach, Virginia, on April 11, 2006, from 7 p.m. to 9 p.m. In case of inclement weather, check the DEQ website for a rescheduled date. A Technical Advisory Meeting will be held on March 14,

2006, at the Abraham and William Cooper Memorial Branch Library from 2 p.m. until 4 p.m.

Purpose of notice: The Virginia Department of Environmental Quality, Department of Health, and the Department of Conservation and Recreation are announcing the conclusion of a study to restore water quality, a public comment opportunity, and public meeting.

Meeting description: Final public meeting on a study to restore water quality.

Description of study: Virginia agencies are working to identify sources of the bacterial contamination in the waters of Mattox Creek. This stream flows through Prince George and Westmoreland counties, near Colonial Beach, Virginia.

The Mattox Creek "impaired" stream segment includes the entire stream length from its headwaters in Prince George County to its confluence with the Potomac River. The lower portion is impaired for the Shellfish Consumption designated use. This segment covers 0.4 square miles. The remaining portion of Mattox Creek is impaired for failure to meet the Primary Contact (Recreational) designated use because of bacterial standard violations. This segment is approximately 34.03 miles long.

The study reports the sources of bacterial contamination and recommends total maximum daily loads, or TMDLs, for the impaired waters. A TMDL is the total amount of a pollutant a water body can contain and still meet water quality standards. To restore water quality, bacterial levels have to be reduced to the TMDL amount.

How a decision is made: The development of a TMDL includes a public comment period, including public meetings. After public comments have been considered and addressed, DEQ will submit the TMDL report to the U.S. Environmental Protection Agency for approval.

How to comment: DEQ accepts written comments by e-mail, fax or postal mail. Written comments should include the name, address and telephone number of the person commenting and be received by DEQ during the comment period, March 22, 2006, to April 21, 2006. DEQ also accepts written and oral comments at the public meeting announced in this notice.

To review draft TMDL report: The draft TMDL report on Mattox Creek will be available on March 22, 2006, from the contact below or on the DEQ website at www.deq.virginia.gov/tmdl.

Contact for additional information Chris French, TMDL Coordinator, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804)-527-5106, or e-mail rcfrench@deq.virginia.gov.

Total Maximum Daily Load - North Fork Shenandoah River

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of

Total Maximum Daily Loads (TMDLs) for the North Fork Shenandoah River in Rockingham and Shenandoah counties, Stony Creek in Shenandoah County, and Mill Creek in Shenandoah County. The North Fork Shenandoah River was listed on the 2004 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for bacteria. This impairment extends from the confluence with Turley Creek to the confluence with Pugh's Run for a total of 52.97 miles. Stony Creek was also listed on the 2004 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for bacteria. This impairment includes a 6.48-mile segment of stream between the Foltz Creek confluence and the Little Stony Creek confluence and a 5.65 mile segment from the George's Chicken discharge to the confluence with the North Fork Shenandoah River. Mill Creek was listed on the 2004 303(d) TMDL Priority List and Report as impaired due to violations of the state's bacteria standard and the state's general (benthic) standard for aquatic life. These impairments extend from the headwaters to the confluence with the North Fork Shenandoah River for a total of 19.78 miles.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

A final public meeting on the development of TMDLs to address the impairments described above will be held on Tuesday, March 21, 2006, at 7 p.m. at the Shenandoah County Parks and Recreation Office Cafeteria (Old Edinburg School), 508 Piccadilly Street, Edinburg, VA.

A copy of the draft TMDL reports will be available for review on or before March 21, 2006, on the DEQ website at <http://www.deq.state.va.us/tmdl/tmdlrpts.html>. The public comment period for the draft reports and the meeting will end on April 20, 2006. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Robert Brent, Department of Environmental Quality, 4411 Early Road, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, or e-mail rbrent@deq.virginia.gov.

Total Maximum Daily Load (TMDL) - Northumberland County (Reschedule)

The Department of Environmental Quality (DEQ), Virginia Department of Health and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for fecal coliform bacteria in shellfish propagation waters located in Northumberland County, Virginia.

All impaired segments are located wholly within Northumberland County. These areas are described in the following publications:

- 1) Growing Area 14 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 123, Mill Creek & Cloverdale

General Notices/Errata

Creek, effective 7 June 1996, 2 June 1997, 5 June 1998, 15 May 2001, 24 June 2002, 4 August 2004, and 17 May 2005 respectively.

2) Growing Area 15 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 22, Dividing Creek and Prentiss Creek, effective 27 February 1997, 17 February 1999, 25 February 1998, 17 June 1999, 21 April 2000, 1 May 2002, 25 April 2003, and 3 May 2005 respectively.

3) Growing Area 13 and 14 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Number 89 and 220, Great Wicomico River, effective 30 May 1996, 28 May 1997, 19 May 1999, 26 April 2000, 15 March 2001, 3 April 2002, 4 April 2003, 16 April 2004, and 4 March 2005.

The affected water body segments are identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria in shellfish waters. Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia, require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The Technical Advisory Committee meeting on the development of the fecal coliform TMDLs will be held on March 7, 2006, from 1 p.m. to 3 p.m. at the Northumberland Public Library, located at 7204 Northumberland Highway in Heathsville, VA. The final public meeting will be held on Monday, March 20, 2006, from 7 p.m. to 9 p.m. at the Northumberland Public Library. Directions can be obtained by calling Chris French at (804) 521-5124. In case of inclement weather, check the DEQ website for a rescheduled date.

The public comment period will begin on March 20, 2006, and ends on April 19, 2006. Questions or information requests should be addressed to Chris French and should include the name, address, and telephone number of the person submitting the comments. Requests should be sent to Chris French, Department of Environmental Quality, Piedmont Regional Office, Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804)-527-5106, or e-mail rcfrench@deq.virginia.gov.

Total Maximum Daily Loads (TMDLs) - Pamunkey River, South Anna River, Totopotomoy Creek, Newfound River, Taylor's Creek, Black's Creek, Monquin Creek/Webb Creek and Northeast Creek

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of Total Maximum Daily Loads (TMDLs) to address water quality impairments of specific stream segments in the following eight watersheds: Pamunkey River, South Anna River, Totopotomoy Creek, Newfound River, Taylor's Creek, Black's Creek, Monquin Creek/Webb Creek and Northeast Creek. The subject stream segments, all in the Pamunkey River Basin, are identified in Virginia's 2004 305(b)/303(d) Report

on Impaired Waters as impaired due to exceedances of the state's water quality criterion for fecal coliform bacteria.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) list.

The impaired stream segments are located in Hanover, King William, Louisa, New Kent, Orange, and Spotsylvania counties, as set forth in the table below.

Stream	County/City	Length (mi.)	Impairment
Pamunkey River	King William, New Kent	0.84 square miles	Bacteria
Black's Creek	New Kent	2.61	Bacteria
Monquin Creek, Webb Creek	King William	11.83	Bacteria
Totopotomoy Creek	Hanover	9.6	Bacteria
South Anna River	Hanover	22.22	Bacteria
Newfound River	Hanover	10.61	Bacteria
South Anna River	Hanover	4.63	Bacteria
Taylor's Creek	Louisa	16.26	Bacteria
South Anna River	Louisa	6.27	Bacteria
South Anna River	Orange, Louisa	7.0	Bacteria
Northeast Creek	Spotsylvania	1.04	Bacteria

The final series of public meetings on the Pamunkey Basin TMDLs development will be held Wednesday, March 22, 2006, at 7 p.m. at the Eastern Hanover Volunteer Company #3 meeting room, located at 4428 Mechanicsville Turnpike, Mechanicsville, VA; and on Thursday, March 23 at 7 p.m. in the main level public meeting room at the Louisa County Government Center; 1 Woolfolk Avenue, Louisa, Virginia.

In case of inclement weather, the March 22, 2006, meeting will be held on March 29; the March 23, 2006, meeting will be held on March 30.

The public comment period for this phase of the TMDL study will begin on March 20, 2006, and end on April 19, 2006. Fact sheets on the development of the TMDLs for the impairments referenced above are available upon request, or at <http://www.deq.virginia.gov/tmdl/>. Questions or information requests should be addressed to Chris French for Spotsylvania, Hanover, King William and New Kent counties; or Bryant Thomas for questions relating to Orange and Louisa counties. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Chris French, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5124, or e-mail rcfrench@deq.virginia.gov, Mr. Bryant Thomas, Department of Environmental Quality, Northern Virginia Regional Office, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, or e-mail bhthomas@deq.virginia.gov.

Total Maximum Daily Load (TMDL) - Westmoreland County

The Department of Environmental Quality (DEQ), Virginia Department of Health and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for fecal coliform bacteria in shellfish propagation waters located in Westmoreland County.

All impaired segments are located wholly within Westmoreland County with the exception of the Rosier Creek segment, partly located in King George County and the Yeocomico River segment, which is partly located in Northumberland County. These areas are described in the following publications:

- 1) Growing Area 1 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 88, Rosier Creek, effective 28 January 1997, 16 July 1997, 6 July 1999, 7 July 2000, 8 July 2002, 28 July 2003, 22 September 2004, and 16 August 2005 respectively.
- 2) Growing Area 2 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 1, Monroe Creek, effective 24 June 1996, 8 July 1997, 6 July 1998, 14 September 1998, 29 June 1999, 5 September 2002, 19 September 2003, 15 November 2004, and 23 September 2005 respectively.
- 3) Growing Area 3 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Number 146, Potomac River: Popes Creek, effective 27 April 1989, and 5 October 2005.
- 4) Growing Area 7 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 28, Yeocomico River, effective 30 April 1996, 12 May 1997, 4 September 1997, 28 January 1998, 5 February 1999, 3 May 1999, 15 July 1999, 29 July 2000, 3 July 2001, 11 July 2002, 13 May 2003, 21 July 2004, and 2 May 2005 respectively.

The affected water body segments are identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria in shellfish waters. Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia, require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The final public meeting will be held on March 7, 2006, from 7 p.m. to 9 p.m. at Abraham and William Cooper Memorial Branch Library, 20 Washington Avenue, Colonial Beach, Virginia. In case of inclement weather, the public meeting will be held on March 2, 2006. Directions can be obtained by calling Chris French at (804) 521-5124. In case of inclement weather, check the DEQ website for a rescheduled date. The public comment period will begin on March 7, 2006, and end on April 6, 2006. Questions or information requests should be addressed to Chris French and should include the name, address, and telephone number of the person submitting the comments. Requests should be sent to Chris French,

Department of Environmental Quality, Piedmont Regional Office, Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804)-527-5106, or e-mail rcfrench@deq.virginia.gov.

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 6, 2006

COMMONWEALTH OF VIRGINIA ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE-2006-00003

Ex Parte: In the matter of considering

§ 1252 of the Energy Policy Act of 2005

ORDER ESTABLISHING PROCEEDING

Section 111 of the Public Utility Regulatory Policies Act of 1978, 16 USC 2601 et seq. ("PURPA"), requires each state regulatory authority, with respect to each electric utility for which it has ratemaking authority, to consider certain federal standards for electric utilities established by PURPA. Each such state regulatory authority is required to determine whether or not it is appropriate, to the extent consistent with otherwise applicable state law, to implement these standards.¹ The Commission conducted a number of proceedings shortly after PURPA's adoption in 1978 for consideration of original PURPA requirements.²

On August 8, 2005, the U.S. Congress enacted the Energy Policy Act of 2005, P.L. 109-58, 119 Stat. 594 (the "Energy Policy Act"), to develop, among other things, a new federal PURPA standard that would, if adopted, require utilities to offer time-of-use rates and attendant "smart metering" capability to each of its customer classes. Section 1252(a) of the Energy Policy Act amends § 111(d) of PURPA, 16 USC 2621(d), by adding the following standard for consideration:

(14) TIME-BASED METERING AND COMMUNICATIONS - (A) Not later than 18 months after the date of enactment of [this standard], each electric utility shall offer each of its customer classes, and provide individual customers upon customer request, a time-based rate schedule under which the rate charged by the electric utility varies during different time periods and reflects the variance, if any, in the utility's costs of generating and purchasing electricity at the wholesale level. The time-based rate schedule shall enable the electric consumer to manage energy use and cost through advanced metering and communications technology.

(B) The types of time-based rate schedules that may be offered under the schedule referred to in subparagraph (A) include, among others -

¹ 16 USC § 2621.

² Such proceedings include among others, Case Nos. PUE-1979-0014 and PUE-1980-00076, -00092, -00093, -00094, -00095, -00096, -00102, -00112, -00113, -00114, -00115, -00116, and -00117. The Commission would note, however, that developments in the law subsequent to the original adoption of PURPA in 1978 raise serious doubt about the constitutionality of its implementation, i.e., co-opting state regulatory agencies to implement a federal regulatory scheme. See Printz v. United States, 521 U.S. 898 (1997).

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(i) time-of-use pricing whereby electricity prices are set for a specific time period on an advance or forward basis, typically not changing more often than twice a year, based on the utility's cost of generating and/or purchasing such electricity at the wholesale level for the benefit of the consumer. Prices paid for energy consumed during these periods shall be pre-established and known to consumers in advance of such consumption, allowing them to vary their demand and usage in response to such prices and manage their energy costs by shifting usage to a lower cost period or reducing their consumption overall;

(ii) critical peak pricing whereby time-of-use prices are in effect except for certain peak days, when prices may reflect the costs of generating and/or purchasing electricity at the wholesale level and when consumers may receive additional discounts for reducing peak period energy consumption;

(iii) real-time pricing whereby electricity prices are set for a specific time period on an advanced or forward basis, reflecting the utility's cost of generating and/or purchasing electricity at the wholesale level, and may change as often as hourly; and

(iv) credits for consumers with large loads who enter into pre-established peak load reduction agreements that reduce a utility's planned capacity obligations.

(C) Each electric utility subject to subparagraph (A) shall provide each customer requesting a time-based rate with a time-based meter capable of enabling the utility and customer to offer and receive such rate, respectively.

(E) In a [s]tate that permits third-party marketers to sell electric energy to retail electric consumers, such consumers shall be entitled to receive the same time-based metering and communications device and service as a retail electric consumer of the electric utility.

(F) [E]ach [s]tate regulatory authority shall not later than 18 months after the date of enactment of this [standard] conduct an investigation ... and issue a decision whether it is appropriate to implement the standards set out in subparagraphs (A) and (C).

Section 1252 (b) of the Energy Policy Act further amended PURPA to establish two rules applicable to the consideration of the time-based metering and communications standard. As amended, § 115(b) of PURPA, 16 USC 2625(d), provides:

Time-of-Day Rates. In undertaking the consideration and making the determination ... with respect to ... the standard for time-based metering and communications established by [§ 111(d)(14)], a time-of-day rate charged by an electric utility for providing electric service to each class of electric consumers shall be determined to be cost-effective with respect to each such class if the long-run benefits of such rate to the electric utility and its electric consumers in the class concerned are likely to exceed the metering and communications costs and other costs associated with the use of such rates.

Section § 115(i) of PURPA, 16 USC 2625(i), was added and states:

Time-Based Metering and Communications. In making a determination with respect to the standard established by [§ 111(d)(14)], the investigation requirement ... shall be as follows: Each [S]tate regulatory authority shall conduct an investigation and issue a decision whether or not it is appropriate for electric utilities to provide and install time-based meters and communications devices for each of their customers which enable such customers to participate in time-based pricing rate schedules and other demand response programs.

Pursuant to § 1252 (i) of the Energy Policy Act, however, state regulatory authorities are not required to consider and determine whether or not the time-based metering and communications standard is appropriate to be implemented if, prior to the August 8, 2005, enactment of the statute: (1) the state implemented the standard or a comparable one; (2) the state regulatory authority conducted a proceeding to consider implementation of the standard or a comparable one within the previous three years; or (3) the state legislature voted on the implementation of the standard or a comparable one within the previous three years.

NOW THE COMMISSION, upon consideration of the matter, is of the opinion and finds that, notwithstanding our reservations as to its legal propriety, a proceeding will be established to consider for implementation in the Commonwealth the time-based metering and communications standard. This action shall not constitute a waiver of any right of the Commission or the Commonwealth of Virginia, including hereafter any right to object, to claim immunity, or to interpose state sovereignty in response to any actions that may be taken by any person, federal authority, or other entity in relation to the Energy Policy Act.

We will direct that notice be given to the public and that interested persons have an opportunity to comment on the issues raised herein. The Staff has developed lists of individuals, organizations, and companies that may be interested in this proceeding. We will direct the Staff to provide copies of this Order by electronic transmission, or when electronic transmission is not possible, by mail to individuals, organizations, and companies on these lists. We will also direct that a copy of this Order be forwarded for publishing in the Virginia Register.

We note that the Commission is not obligated to consider the time-based metering and communications standard where certain prior state action has occurred. In 1999, for example, the General Assembly enacted a competitive retail electric billing and metering statute as a part of the Virginia Electric Utility Restructuring Act, Chapter 23 (§ 56-576 et seq.) of Title 56 of the Code of Virginia ("Restructuring Act"). Section 56-581.1 of the Restructuring Act required the Commission, among other things, to promulgate rules to implement competitive metering services for customers of investor-owned electric distribution utilities. Pursuant to this statute, on August 19, 2002, and July 11, 2003, the Commission adopted amendments to the Rules Governing Retail Access to Competitive Energy Services, 20 VAC 5-312-10 et seq., at 20 VAC 5-312-120 ("Competitive Metering Rules"), addressing the responsibilities and rights of certain local distribution companies, competitive service providers, large industrial and

large commercial customers, and small business and residential customers, relative to the provision of interval metering as a basic metering service and meter ownership. More recently, on July 16, 2004, the Commission issued an order finding it premature to implement additional elements of competitive metering and directing the Staff and work group convened to examine the issue to continue to monitor regulated and competitive market developments in metering and to timely report and make recommendations on any notable developments.

Therefore, the Commission invites interested persons to comment on the following issues: (1) whether any prior state action has occurred such that the time-based metering and communications standard or a comparable one has already been implemented or considered in the Commonwealth; (2) whether the Commission has the authority to consider the standard and whether the implementation of such standard would be consistent with otherwise applicable Virginia law; (3) whether electric utilities over which the Commission has ratemaking authority should be required to offer each of its customer classes and to provide customers upon request a time-based rate schedule that will enable the customer to manage energy use and cost through advanced metering and communications technology; (4) whether electric utilities over which the Commission has ratemaking authority should be required to provide each customer requesting a time-based rate with a time-based meter capable of enabling the utility and customer to offer and receive such rate; and (5) whether customers buying electricity from third-parties should be entitled to the same time-based metering and communications device and service as a retail electric customer of the electric utility. If an interested person advocates implementing the time-based metering and communications standard, such person should describe in their comments how such standards would best be implemented.

Accordingly, IT IS ORDERED THAT:

- (1) This case is docketed and assigned Case No. PUE-2006-00003.
- (2) The Commission's Division of Information Resources shall forward a copy of this Order to the Registrar of Regulation for publication in the Virginia Register.
- (3) Within five business days of the filing of this Order with the Clerk of the Commission, the Staff shall transmit electronically or mail copies of this Order to interested persons and organizations as discussed in this Order.
- (4) On or before March 10, 2006, the Staff shall file with the Clerk of the Commission a certificate of the transmission or mailing required by Ordering Paragraph (3) and include a list of the names and addresses of persons to whom the Order was transmitted or mailed.
- (5) On or before May 12, 2006, any interested person may file an original and fifteen (15) copies of comments with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Comments shall refer to Case No. PUE-2006-00003 and address the specific issues raised in this Order. Interested persons desiring to submit comments electronically may do so

by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/caseinfo.htm>.

(5) On or before June 9, 2006, the Staff may file comments with the Commission presenting its findings and recommendations, or responding to any comments filed by interested persons in this matter.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: 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 Divisions of Economics and Finance and Energy Regulation.

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 February 2, 2006, and February 6, 2006. 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.

Final Rules for Game Operation:

Director's Order Number One (06)

Virginia's Instant Game Lottery 709; "Diamond White 7's" (effective 1/30/06)

Director's Order Number Two (06)

Virginia's Instant Game Lottery 715; "\$500,000 Maximum Payout" (effective 1/30/06)

Director's Order Number Four (06)

Virginia's Instant Game Lottery 708; "20K" (effective 1/31/06)

Director's Order Number Five (06)

Virginia's Instant Game Lottery 710; "Jackpot Riches" (effective 1/30/06)

Director's Order Number Six (06)

Virginia's Instant Game Lottery 713; "Blackjack" (effective 1/30/06)

Director's Order Number Seven (06)

Certain Virginia Instant Game Lotteries; End of Games.

In accordance with the authority granted by §§ 2.2-4002 B (15) and 58.1-4006 A of the Code of Virginia, I hereby give notice that the following Virginia Lottery instant games will officially end at midnight on February 24, 2006:

Game 272	Hot 100's
Game 277	Straight 8's
Game 279	Hot Numbers
Game 288	Black Cat Cash Doubler
Game 291	Season's Greetings
Game 643	Red Hot Numbers
Game 646	Triple Tripler
Game 652	Money Maker/Double Play
Game 654	World Series of Poker \$100,000 Texas Hold'em

General Notices/Errata

Game 656	Red Payline Cashword
Game 673	Strike it Witch Tripler
Game 686	Jingle Bell Bonus
Game 687	Bah Humbucks
Game 688	Holiday Cash

Road, Harrisonburg, VA 22801, telephone (540) 574-7901, FAX (540) 574-7884, or e-mail msfaulkner@deq.virginia.gov.

Proposed Consent Special Order - Miller Oil Company, Inc.

The last day for lottery retailers to return for credit unsold tickets from any of these games will be March 31, 2006. The last day to redeem winning tickets for any of these games will be August 23, 2006, 180 days from the declared official end of the game. Claims for winning tickets from any of these games will not be accepted after that date. Claims that are mailed and received in an envelope bearing a postmark of the United States Postal Service or another sovereign nation of August 23, 2006, will be deemed to have been received on time. This notice amplifies and conforms to the duly adopted State Lottery Board regulations for the conduct of lottery games.

Purpose of notice: To seek public comment on a proposed consent order from the Department of Environmental Quality for facilities in Richmond, Virginia.

Public comment period: March 6, 2006, to April 5, 2006.

This order is available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 900 East Main Street, Richmond, Virginia; and at any Virginia Lottery regional office. A copy may be requested by mail by writing to: Director's Office, Virginia Lottery, 900 East Main Street, Richmond, Virginia 23219.

Consent order description: The State Water Control Board proposes to issue a consent order to Miller Oil Company, Inc., to address alleged violations of the Underground Storage Tank Regulations. The location of the facilities where the alleged violations occurred is at 8430 West Broad Street and 11520 West Broad Street in Richmond, Virginia. The consent order describes a settlement to resolve recordkeeping and corrosion protection deficiencies in the UST and associated piping and for the payment of a civil charge.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Donna M. VanCleave
Interim Executive Director
January 30, 2006

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period. The public may review the proposed consent order at the DEQ office named below or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information Vernon C. Williams, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060-6296, telephone (804) 527-5086, FAX (804) 527-5106, or e-mail vcwilliams@deq.virginia.gov.

STATE WATER CONTROL BOARD

Proposed Consent Special Order - Homes By Blue Ridge, LTD

Purpose of notice: To invite citizens to comment on a proposed consent order for a facility in Augusta County, Virginia.

Public comment period: March 6, 2006, to April 4, 2006.

Consent order description: The State Water Control Board proposes to issue a consent order to Homes By Blue Ridge, LTD., to address violations of Permit VA0088943, violations of regulatory requirements, and an unpermitted discharge. The location of the facility where the violations occurred is near Crimora in Augusta County. The consent order describes a settlement to resolve these violations.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period. The public may review the proposed consent order at the DEQ office named below or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Michael Faulkner, Department of Environmental Quality, Valley Regional Office, 4411 Early

Proposed Consent Special Order - Pine Hills Water & Sewer CO., L.C. for Jackson's Chase Waste Water Treatment Plant

Purpose of notice: To invite citizens to comment on a proposed consent order for a facility in Warren County, Virginia.

Public comment period: March 6, 2006, to April 4, 2006.

Consent order description: The State Water Control Board proposes to issue a consent order to Pine Hills Water & Sewer CO., L.C., for Jackson's Chase Waste Water Treatment Plant, to address alleged violations of 9 VAC 25-31-50 and VPDES PERMIT VA0090247. The location of the facility where the violations occurred is in Warren County. The consent order describes a settlement to resolve violations of the permit and violations of regulatory requirements.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period. The public may review the proposed consent order at the DEQ office named below or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Michael Faulkner, Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801, telephone (540) 574-7901, FAX (540) 574-7884, or e-mail msfaulkner@deq.virginia.gov.

Proposed Consent Special Order - Pollard Environmental, LLC

Citizens may comment on a proposed consent order for a property in Richmond, Virginia.

Public comment period: March 6, 2006, to April 5, 2006.

Purpose of notice: To invite the public to comment on a proposed consent order.

A consent order is issued to Pollard Environmental, LLC, to address noncompliance with the relevant laws. It is developed cooperatively with the company and entered into by mutual agreement.

Project description: The State Water Control Board proposes to issue a consent order to Pollard Environmental, LLC, to address alleged violations of State Water Control Law. The location of the property where the violation occurred is at 6223 W. Franklin Street, Richmond, Virginia. The consent order requires the payment of a civil charge to settle unauthorized activities that occurred at the property.

How a decision is made: After public comments have been considered, the State Water Control Board will make a final decision.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To review the consent order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Cynthia Akers, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5079, FAX (804) 527-5106, or e-mail ecakers@deq.virginia.gov.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Title of Regulation: **2 VAC 5-20. Standards for Classification of Real Estate as Devoted to Agricultural Use and to Horticultural Use Under the Virginia Land Use Assessment Law.**

Publication: 22:11 VA.R. 1761-1764 February 6, 2006.

Corrections to Final Regulation:

Page 1761, "agency contact," line 3, change "1100 Bank Street, Room 211" to "102 Governor Street, Room 216"; line 5, change e-mail address to "larry.redford@vdacs.virginia.gov"

Page 1763, in 2 VAC 5-20-30 B, paragraph 3, line 15, after "mature," strike "animals" and insert "cows or the equivalent"

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 AGRICULTURE AND CONSUMER SERVICES

March 22, 2006 - 9 a.m. -- Open Meeting

Department of Agriculture and Consumer Services, Oliver Hill Building, 102 Governor Street, 220 Board Room, 2nd Floor, Richmond, Virginia.♿

A meeting to discuss issues related to Virginia agriculture and consumer services. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Roy Seward at least five days before the meeting date so that suitable arrangements can be made.

Contact: Roy E. Seward, Board Secretary, Department of Agriculture and Consumer Services, Oliver Hill Bldg., 102 Governor St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3538, FAX (804) 371-2945, e-mail roy.seward@vdacs.virginia.gov.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia Agricultural Council

March 27, 2006 - 8:30 a.m. -- Open Meeting

March 28, 2006 - 8 a.m. -- Open Meeting

Holiday Inn, 1200 Fifth Street, Charlottesville, Virginia.♿

An annual meeting to hear and act upon agricultural project proposals for financial assistance through the Virginia Agricultural Council. The council 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 Donald B. Ayers at least five days before the meeting date so that suitable arrangements can be made.

Contact: Donald Ayers, Executive Director, Virginia Agricultural Council, P.O. Box 1163, Richmond, VA 23218, telephone (804) 786-0480, FAX (804) 371-0247, (800) 828-1120/TTY☎, e-mail don.ayers@vdacs.virginia.gov.

Virginia Horse Industry Board

† **April 5, 2006 - 10 a.m.** -- Open Meeting

Virginia Department of Forestry, 900 Natural Resources Drive, 2nd Floor Meeting Room, Charlottesville, Virginia.♿

A meeting to (i) briefly review current finances, (ii) consider old and new business, and (iii) review grant proposals that have been submitted for the 2006-2007 fiscal year. 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 the person identified in this notice at least five days before the meeting date, so that suitable arrangements can be made for any appropriate accommodation.

Contact: Andrea S. Heid, Equine Marketing Specialist/Program Manager, Department of Agriculture and Consumer Services, 102 Governor St., 3rd Floor, Richmond, VA 23219, telephone (804) 786-5842, FAX (804) 371-7786, e-mail andrea.heid@vdacs.virginia.gov.

Virginia Peanut Board


† **March 21, 2006 - 10:30 a.m.** -- Open Meeting

Tidewater Agriculture Research and Extension Center, 6321 Holland Road, Suffolk, Virginia.♿

A meeting to (i) consider the minutes of the last meeting, (ii) review the board's financial statement financial statement, and (iii) consider research proposals for fiscal year 2007. 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 the person identified in this notice at least five days before the meeting date, so that suitable arrangements can be made for any appropriate accommodation.

Contact: Thomas R. (Dell) Cotton, Jr., Program Director, Virginia Peanut Board, 1001 Campbell Ave., P.O. Box 59, Franklin, VA 23851-0059, telephone (757) 569-0249, FAX (757) 562-0744.


Virginia Soybean Board

March 9, 2006 - 8 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. 

A meeting to (i) hear and approve minutes of the last meeting, (ii) discuss checkoff revenues resulting from sales of the 2005 soybean crop, (iii) hear FY 2005-2006 project reports and receive FY 2006-2007 for project proposals, and (iv) make funding decisions for the fiscal year beginning July 1, 2006. 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 Philip T. Hickman at least five days before the meeting date so that suitable arrangements can be made.

Contact: Philip T. Hickman, Program Director, Virginia Soybean Board, 102 Governor St., 3rd Floor, Room 319, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786, e-mail phil.hickman@vdacs.virginia.gov.


STATE AIR POLLUTION CONTROL BOARD

March 8, 2006 - 7 p.m. -- Public Hearing
Edwin R. Shields Courthouse Addition, General District Courtroom, Second Floor, Chatham, Virginia. 


A public hearing on an application for an amendment to the Columbia Forest Products' permit for installation of a replacement boiler and wood grinder at the Chatham facility. The public comment period on the draft permit began on January 30, 2006, and ended on March 1, 2006. Public comment will also be accepted at the public hearing.

Contact: Allen Armistead, Department of Environmental Quality, 7705 Timberlake Rd., Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 582-5125, e-mail eaarmistead@deq.virginia.gov.


ALCOHOLIC BEVERAGE CONTROL BOARD

March 6, 2006 - 9 a.m. -- Open Meeting
March 20, 2006 - 9 a.m. -- Open Meeting
April 3, 2006 - 9 a.m. -- Open Meeting
April 17, 2006 - 9 a.m. -- Open Meeting
May 1, 2006 - 9 a.m. -- Open Meeting
May 15, 2006 - 9 a.m. -- Open Meeting
† June 5, 2006 - 9 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 


An executive staff meeting to receive and discuss reports and activities from staff members and to discuss other matters 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 curtis.coleburn@abc.virginia.gov.

ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

March 14, 2006 - 10 a.m. -- Open Meeting
Department for the Aging, 1610 Forest Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting.


Contact: Cecily Slasor, I and R Specialist, Department for the Aging, 1610 Forest Ave., Ste. 100, Richmond, VA 23229, telephone (804) 662-9338, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail cecily.slasor@vda.virginia.gov.

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

March 15, 2006 - 5:30 p.m. -- Open Meeting
University of Virginia, Culbreth Lane, Campbell Hall, Room 158, Charlottesville, Virginia. 

A meeting of the Architects Section to present information regarding architect licensure to the UVA professional practice class.


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.virginia.gov.

March 16, 2006 - 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. 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 Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail apelscidla@dpor.virginia.gov.

Calendar of Events


March 16, 2006 - 9 a.m. -- Public Hearing
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Richmond, Virginia. 

March 16, 2006 - 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 Designers and Landscape Architects is amending regulations entitled **18 VAC 10-20, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Regulations**. The purpose of the proposed action is to amend the entry requirements for landscape architects who possess an LAAB-accredited degree in landscape architecture to require them to obtain three years of acceptable experience before being granted certification. Applicants could still be approved to take, and sit for, the examination prior to obtaining the required three years of experience; however, certification would not be awarded until such time as the three years of acceptable experience is obtained, documented, submitted, reviewed and approved.


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

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 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail apelscidla@dpor.virginia.gov.

† March 16, 2006 - 2:30 p.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

A meeting to conduct informal fact-finding conferences.


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.virginia.gov.

May 3, 2006 - 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. 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 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 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail apelscidla@dpor.virginia.gov.

May 10, 2006 - 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. 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 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 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail apelscidla@dpor.virginia.gov.

May 11, 2006 - 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. 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 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 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail apelscidla@dpor.virginia.gov.

May 17, 2006 - 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. 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 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 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail apelscidla@dpor.virginia.gov.

May 18, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting of the Interior Designers Section to conduct board business. 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 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 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail apelscidla@dpor.virginia.gov.

ART AND ARCHITECTURAL REVIEW BOARD


April 7, 2006 - 10 a.m. -- Open Meeting

May 5, 2006 - 10 a.m. -- Open Meeting

† June 2, 2006 - 10 a.m. -- Open Meeting


Science Museum of Virginia, 2500 West Broad Street, Forum Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting to review projects submitted by state agencies. Art and Architectural Review Board submittal forms and submittal instructions can be downloaded by visiting the DGS Forms Center at www.dgs.state.va.us. Request form #DGS-30-905 or submittal instructions #DGS-30-906. The deadline for submitting project datasheets and other required information is two weeks prior to the meeting date.


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

VIRGINIA COMMISSION FOR THE ARTS


† March 29, 2006 - 8:30 a.m. -- Open Meeting

Danville Museum of Fine Arts and History, Danville, Virginia. 


A quarterly meeting scheduled to last until 3 p.m.

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.


† April 11, 2006 - 10 a.m. -- Open Meeting

Emory and Henry College, Emory, Virginia. 


A meeting of the Area I Panel to review grant applications and recommend funding to arts organizations in Area I of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

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.


† April 12, 2006 - 10 a.m. -- Open Meeting

Location to be announced. 


A meeting of the Area III Panel to review grant applications and recommend funding to arts organizations in Area III of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

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.


† April 18, 2006 - 10 a.m. -- Open Meeting

Piedmont Arts Center, Martinsville, Virginia. 


A meeting of the Area II Panel to review grant applications and recommend funding to arts organizations in Area II of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

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.


† April 21, 2006 - 10 a.m. -- Open Meeting

Museum of the Shenandoah Valley, Winchester, Virginia. 


A meeting of the Area IV-B Panel to review grant applications and recommend funding to arts organizations in Area IV-B of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

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.

† April 25, 2006 - 10 a.m. -- Open Meeting

Wolf Trap Foundation for the Performing Arts, Vienna, Virginia. 


A meeting of the Area IV-A Panel to review grant applications and recommend funding to arts organizations in Area IV-A of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last for two days from 10 a.m. until 5 p.m. each day as needed.

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.

† April 27, 2006 - 10 a.m. -- Open Meeting

Richmond Ballet Studio Theatre, Richmond, Virginia. 


A meeting of the Major Arts Organizations Panel to review grant applications and recommend funding to arts organizations for major arts organizations of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

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.


Calendar of Events

† **May 2, 2006 - 10 a.m.** -- Open Meeting

† **May 3, 2006 - 10 a.m.** -- Open Meeting


Fergusson Center for the Arts, Christopher Newport University, Newport News, Virginia. 

A meeting of the Area VI Panel to review grant applications and recommend funding to arts organizations in Area VI of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last for two days from 10 a.m. until 5 p.m. each day as needed.


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 4, 2006 - 10 a.m.** -- Open Meeting


† **May 5, 2006 - 10 a.m.** -- Open Meeting

Richmond Ballet Studio Theatre, Richmond, Virginia. 


A meeting of the Area V Panel to review grant applications and recommend funding to arts organizations in Area V of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last for two days from 10 a.m. until 5 p.m. each day as needed.

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 9, 2006 - 10 a.m.** -- Open Meeting

Richmond Ballet Studio Theatre, Richmond, Virginia. 


A meeting of the Local Arts Agencies Panel to review grant applications and recommend funding to local arts agencies of Virginia for the 2006-2007 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

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 10, 2006 - 10 a.m.** -- Open Meeting

Richmond Ballet Studio Theatre, Richmond, Virginia. 

A meeting of the Arts in Education Panel to review applications from Virginia elementary and secondary schools and nonprofit organizations for Artist Residency grants. The meeting is scheduled to last until 5 p.m. as needed.


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 11, 2006 - 10 a.m.** -- Open Meeting

Richmond Ballet Studio Theatre, Richmond, Virginia. 


A meeting of the Touring Panel to review applications from Virginia performing artists for inclusion in the 2007-2008 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

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.

† **June 6, 2006 - 8:30 a.m.** -- Open Meeting

† **June 7, 2006 - 8:30 a.m.** -- Open Meeting

Martha Washington Inn, Abingdon, Virginia. 

The final commission meeting of the fiscal year. The meeting is scheduled to last until 5 p.m. on June 6 and -until 2:30 p.m. on June 7.


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

VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS


March 13, 2006 - 10 a.m. -- Open Meeting

Wytheville Town Offices, Wytheville Municipal Building, 150 East Monroe Street, Conference Room B, Wytheville, Virginia.

April 5, 2006 - 10 a.m. -- Open Meeting


Department of Alcoholic Beverage Control, Chesapeake Regional Office, 1103 South Military Highway, Chesapeake, Virginia. 

An informal fact-finding conference.

Contact: David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail asbestos@dpor.virginia.gov.

* * * * *

March 30, 2006 - 9 a.m. -- Public Hearing

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

April 14, 2006 - 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 Asbestos, Lead, and Home Inspectors is amending regulations entitled **18 VAC 15-30, Virginia Lead-Based Paint Activities**. The purpose of the proposed action is to empower the board to deny license and approval as well as to take disciplinary action against those acting as or being ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensee's business, and to require training providers to submit information electronically and include social security numbers to speed up application processing. The regulations having been reorganized to present the regulatory requirements in a format that is easier to understand.

Statutory Authority: §§ 54.1-201 and 54.1-501 of the Code of Virginia.

Contact: David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St.,

Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail asbestos@dpor.virginia.gov.

1604 Santa Rosa Rd., Suite 137, Richmond, VA 23229, telephone (804) 662-9830, FAX (804) 662-9831, e-mail kim.mcgaughey@dss.virginia.gov.

NOTE: CHANGE IN MEETING TIME

March 30, 2006 - 11 a.m. -- Public Hearing
Department of Professional and Occupational Regulation,
3600 West Broad Street, Conference Room 4, Richmond,
Virginia. ♿

April 14, 2006 - 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 Asbestos, Lead, and Home Inspectors is amending regulations entitled **18 VAC 15-20, Virginia Asbestos Licensing Regulations**. The purpose of the proposed action is to empower the board to deny license and approval as well as to take disciplinary action against those acting as or being ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensee's business, and to require training providers to submit information electronically and include social security numbers to speed up application processing. The regulations having been reorganized to present the regulatory requirements in a format that is easier to understand.

Statutory Authority: §§ 54.1-201 and 54.1-501 of the Code of Virginia.

Contact: David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail asbestos@dpor.virginia.gov.

May 10, 2006 - 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 Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail asbestos@dpor.virginia.gov.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES

State Executive Council

† **March 31, 2006 - 9:30 a.m.** -- Open Meeting
Wythe Building, 1604 Santa Rosa Road, Richmond,
Virginia. ♿

A regular meeting. The meeting will adjourn by noon.

Contact: Kim McGaughey, Executive Director, Comprehensive Services for At-Risk Youth and Families,

AUCTIONEERS BOARD

April 13, 2006 - 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. All meetings are subject to cancellation. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board 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: Marian H. Brooks, Regulatory Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail auctioneers@dpor.virginia.gov.

BOARD FOR BARBERS AND COSMETOLOGY

March 7, 2006 - 10 a.m. -- Public Hearing
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

March 10, 2006 - 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 adopt regulations entitled **18 VAC 41-60, Body-Piercing Regulations**. The purpose of the proposed action is to promulgate regulations governing the licensure and practice of body piercing as mandated by Chapter 869 of the 2002 Acts of Assembly.

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

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 barbercosmo@dpor.virginia.gov.

† **May 1, 2006 - 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. Person desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The

Calendar of Events

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 barbercosmo@dpor.virginia.gov.

BOARD FOR THE BLIND AND VISION IMPAIRED

† **April 11, 2006 - 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)

The board will 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: Katherine C. Proffitt, Administrative Staff Assistant, Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail kathy.proffitt@dbvi.virginia.gov.

DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

Rehabilitation Council for the Blind

March 11, 2006 - 10 a.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 regular quarterly meeting.

Contact: Susan D. Payne, VR Program Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3184, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail susan.payne@dbvi.virginia.gov.

BOARD FOR BRANCH PILOTS

May 1, 2006 - 8:30 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia. ♿

A meeting of the Examination Administrators 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. All meetings are subject to cancellation. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board 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: 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.virginia.gov.

May 1, 2006 - 9:30 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. All meetings are subject to cancellation. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board 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: 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.virginia.gov.

CHARITABLE GAMING BOARD

† **March 7, 2006 - 10 a.m.** -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Richmond Virginia. ♿

A regular board meeting.

Contact: Clyde E. Cristman, Director, Department of Charitable Gaming, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-1681, FAX (804) 786-1079, e-mail clyde.cristman@dgc.virginia.gov.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

NOTE: CHANGE IN MEETING DATE

March 27, 2006 - 10 a.m. -- Open Meeting
Location to be announced.

A regular business meeting.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

May 9, 2006 - 10 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 17th Floor Conference Room, Richmond, Virginia.

A regular meeting of the Northern Area Review Committee to review local programs.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

May 9, 2006 - 2 p.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 17th Floor Conference Room, Richmond, Virginia.


A regular meeting of the Southern Area Review Committee to review local programs.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

STATE CHILD FATALITY REVIEW TEAM

March 10, 2006 - 10 a.m. -- Open Meeting

May 9, 2006 - 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: Rae Hunter-Havens, Coordinator, State Child Fatality Review, 400 East Jackson St., Richmond, VA 23219, telephone (804) 786-1047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail rae.hunter-havens@vdh.virginia.gov.


STATE BOARD FOR COMMUNITY COLLEGES

† **March 15, 2006 - 1:30 p.m.** -- Open Meeting


NOTE: CHANGE IN MEETING LOCATION

Southern Virginia Higher Education Center, 820 Bruce Street, South Boston, Virginia.  (Interpreter for the deaf provided upon request)


May 17, 2006 - 1:30 p.m. -- Open Meeting

Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Meetings of the Academic Committee, Student Affairs and Workforce Development Committee, and Budget and Finance Committee begin at 1:30 p.m. The Facilities Committee and the Audit Committee will meet at 3 p.m. The Personnel Committee will meet at 3:30 p.m.

Contact: D. Susan Hayden, Director of Public Affairs, Virginia Community College System, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY 


March 16, 2006 - 9 a.m. -- Open Meeting

Southern Virginia Higher Education Center, 820 Bruce Street, South Boston, Virginia.  (Interpreter for the deaf provided upon request)

May 18, 2006 - 9 a.m. -- Open Meeting


Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Godwin-Hamel Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business 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 Relations, State Board for Community Colleges, VCCS, James Monroe Bldg, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY 

COMPENSATION BOARD

March 29, 2006 - 11 a.m. -- Open Meeting

Oliver Hill Building, 102 Governor Street, Lower Level, Richmond, Virginia. 

A monthly board meeting.

Contact: Cindy Waddell, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 225-3308, FAX (804) 371-0235, e-mail cindy.waddell@scb.virginia.gov.

April 7, 2006 - 11 a.m. -- Public Hearing

Augusta County Government Center, Dick Huff Lane, Board of Supervisors Meeting Room, Verona, Virginia. 

A FY07 budget hearing for constitutional officers.

Contact: Cindy Waddell, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 225-3308, FAX (804) 371-0235, e-mail cindy.waddell@scb.virginia.gov.

DEPARTMENT OF CONSERVATION AND RECREATION

† **March 9, 2006 - Noon** -- Open Meeting

† **April 13, 2006 - Noon** -- Open Meeting

† **May 11, 2006 - Noon** -- Open Meeting

Richmond City Hall, Planning Commission Conference Room, 900 East Broad Street, 5th Floor, Richmond, Virginia.

A regular meeting of the Falls of the James Scenic River Advisory Committee to discuss river issues.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

† **March 15, 2006 - 1 p.m.** -- Open Meeting

Loudoun County Government Center, 1 Harrison Street, S.E., Lovettsville Room, Leesburg, Virginia.

A regular meeting of the Goose Creek Scenic River Advisory Committee to discuss river issues.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

† **March 23, 2006 - 7 p.m.** -- Open Meeting

Chippokes Plantation State Park, 695 Chippokes Park Road, Surry, Virginia.

A meeting to consider proposed amendments to the Chippokes Plantation State Park Master Plan. The

Calendar of Events

proposed amendments will be explained, and public input will be received.

Contact: John R. Davy, Division Director, Planning and Recreation Resources, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-1119, FAX (804) 371-7899, e-mail john.davy@dcr.virginia.gov.

Virginia Cave Board

April 29, 2006 - 11 a.m. -- Open Meeting
Grottoes Town Hall, Grottoes, Virginia.

A regular meeting. Meetings of the board subcommittee will begin at 11 a.m. and the full board meeting will begin at 1 p.m.

Contact: Larry Smith, Natural Area Protection Manager, Department of Conservation and Recreation, 203 Governor St., Richmond, VA 23219, telephone (804) 371-6205, FAX (804) 371-2674, e-mail larry.smith@dcr.virginia.gov.

Virginia Land Conservation Foundation

† **June 7, 2006 - 10 a.m.** -- Open Meeting
Location to be announced.

A regular meeting of the Board of Trustees.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

Virginia Scenic River Board

April 25, 2006 - 10 a.m. -- Open Meeting
Location to be announced.

A regular board meeting.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

Virginia Soil and Water Conservation Board

March 16, 2006 - 9:30 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.

May 18, 2006 - 9:30 a.m. -- Open Meeting
Location to be announced.

A regular board meeting.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

BOARD FOR CONTRACTORS


March 7, 2006 - 9 a.m. -- Open Meeting

† **March 9, 2006 - 9 a.m.** -- Open Meeting


March 14, 2006 - 9 a.m. -- Open Meeting

March 21, 2006 - 9 a.m. -- Open Meeting

† **March 28, 2006 - 2:30 p.m.** -- Open Meeting

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

A meeting to conduct disciplinary informal fact-finding conferences.


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.

* * * * *

March 24, 2006 - 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 Contractors intends to amend regulations entitled **18 VAC 50-30, Individual License and Certification Regulations**. The purpose of the proposed action is to establish regulations for the certification of elevator mechanics and to amend the current regulations to reflect statutory changes, respond to changes in the industry and to revise language for clarity and ease of use.


Statutory Authority: §§ 54.1-201 and 54.1-1102 of the Code of Virginia.

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.


March 28, 2006 - 9 a.m. -- Open Meeting


April 25, 2006 - 9 a.m. -- Open Meeting

† **May 23, 2006 - 9 a.m.** -- Open Meeting


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

A regular meeting to address policy and procedural issues and review and render 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. 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. 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 23, 2006 - 11:30 a.m.** -- Open Meeting
Department of Professional and Occupational Regulations,
3600 West Broad Street, Conference Room 4 West,
Richmond, Virginia. 


A quarterly meeting of the Board for Contractors
Committee.

Contact: Kevin Hoefft, Regulatory Boards Administrator,
Department of Professional and Occupational Regulation,
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.

BOARD OF CORRECTIONS

March 14, 2006 - 10 a.m. -- Open Meeting

May 16, 2006 - 10 a.m. -- Open Meeting


Department of Corrections, 6900 Atmore Drive, 3rd Floor
Board Room, Richmond, Virginia. 

A meeting of the Liaison Committee to discuss correctional
matters of interest to the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant,
Department of Corrections, 6900 Atmore Dr., Richmond, VA
23225, telephone (804) 674-3124, FAX (804) 674-3236,
e-mail barbara.woodhouse@vadoc.virginia.gov.

March 14, 2006 - 1 p.m. -- Open Meeting

May 16, 2006 - 1 p.m. -- Open Meeting


Department of Corrections, 6900 Atmore Drive, 3rd Floor,
Board Room, Richmond, Virginia. 

A meeting of the Correctional Services/Policy and
Regulations Committee to discuss correctional services and
policy/regulation matters to be considered by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant,
Department of Corrections, 6900 Atmore Dr., Richmond, VA
23225, telephone (804) 674-3124, FAX (804) 674-3236,
e-mail barbara.woodhouse@vadoc.virginia.gov.

March 15, 2006 - 9:30 a.m. -- Open Meeting

May 17, 2006 - 9:30 a.m. -- Open Meeting


Department of Corrections, 6900 Atmore Drive, 3rd Floor,
Room 3054, Richmond, Virginia. 

A meeting of the Administration Committee to discuss
administrative matters to be considered by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant,
Department of Corrections, 6900 Atmore Dr., Richmond, VA
23225, telephone (804) 674-3124, FAX (804) 674-3236,
e-mail barbara.woodhouse@vadoc.virginia.gov.

March 15, 2006 - 10 a.m. -- Open Meeting

May 17, 2006 - 10 a.m. -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor
Board Room, Richmond, Virginia. 

A regular meeting of the full board to review and discuss all
matters considered by board committees that require
presentation to and action by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant,
Department of Corrections, 6900 Atmore Dr., Richmond, VA

23225, telephone (804) 674-3124, FAX (804) 674-3236,
e-mail barbara.woodhouse@vadoc.virginia.gov.

BOARD OF DENTISTRY


March 17, 2006 - 9 a.m. -- Open Meeting

March 31, 2006 - 9 a.m. -- Open Meeting


April 21, 2006 - 9 a.m. -- Open Meeting

May 12, 2006 - 9 a.m. -- Open Meeting

† **May 26, 2006 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. 


A meeting of the Special Conference Committee to hold
informal conferences. There will not be a public comment
period.

Contact: Cheri Emma-Leigh, Operations Manager,
Department of Health Professions, 6603 W. Broad St., 5th
Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX
(804) 662-7246, (804) 662-7197/TTY , e-mail cheri.emma-leigh@dhp.virginia.gov.

March 24, 2006 - 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 Dentistry intends to
amend regulations entitled **18 VAC 60-20, Regulations
Governing the Practice of Dentistry and Dental Hygiene**.
The purpose of the proposed action is to (i) establish
requirements for licensure by credentials for dentists
consistent with new provisions in the Dental Practice Act; (ii)
extend the voluntary practice license to include dentists and
hygienists who held in unrestricted license in Virginia at the
time it expired or became inactive and eliminate the
supervision requirement for dentists out of practice less
than five years; and (iii) clarify certain terms and rules for
consistency. The proposed regulation will replace an
emergency regulation adopted by the Board of Dentistry in
compliance with amendments to Chapter 27 of Title 54.1
and the third enactment clause of HB 2368 and SB 1127
enacted by the 2005 General Assembly.

Statutory Authority: §§ 54.1-2400 and Chapter 27 (§ 54.1-
2700 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until March 24, 2006, to
Sandra Reen, Executive Director, Board of Dentistry, Alcoa
Bldg., 6603 West Broad Street, 5th Floor, Richmond, VA
23230-1712, telephone (804) 662-9906, FAX (804) 662-7246,
(804) 662-7197/TTY , e-mail sandra.reen@dhp.virginia.gov.

Contact: Elaine J. Yeatts, Regulatory Coordinator,
Department of Health Professions, 6603 W. Broad St.,
Richmond, VA 23230, telephone (804) 662-9918, FAX (804)
662-9114, e-mail elaine.yeatts@dhp.virginia.gov.


Calendar of Events

DESIGN BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD


March 16, 2006 - 11 a.m. -- Open Meeting

April 20, 2006 - 11 a.m. -- Open Meeting

May 18, 2006 - 11 a.m. -- Open Meeting


Department of General Services, 202 North Ninth Street, Room 412, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use the design build or construction management type contracts. Contact the Division of Engineering and Buildings to confirm this meeting. Board Rules and Regulations can be obtained on line at www.dgs.virginia.gov under DGS Forms, Form #DGS-30-904.

Contact: Rhonda M. Bishton, Administrative Assistant, Division of Engineering and Buildings, Department of General Services, 202 N. Ninth St., Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY , e-mail rhonda.bishton@dgs.virginia.gov.

VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP


† **March 13, 2006 - 8 a.m.** -- Open Meeting

Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Board Room, Richmond, Virginia. 

A meeting of the Finance Committee.

Contact: Kimberly M. Ellett, Senior Executive Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218, telephone (804) 545-5610, FAX (804) 545-5611, e-mail kellett@yesvirginia.org.

March 13, 2006 - 10 a.m. -- Open Meeting

Riverfront Plaza, 901 East Byrd Street, West Tower, 20th Floor, Richmond, Virginia. 

A meeting of the Board of Directors.


Contact: Kimberly M. Ellett, Senior Executive Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218, telephone (804) 545-5610, FAX (804) 545-5611, e-mail kellett@yesvirginia.org.

BOARD OF EDUCATION

March 22, 2006 - 9 a.m. -- Open Meeting

April 26, 2006 - 9 a.m. -- Open Meeting

† **May 24, 2006 - 9 a.m.** -- Open Meeting


James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms C and D, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting of the board. Public comment will be received. 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.

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 margaret.roberts@doe.virginia.gov.

April 27, 2006 - 9 a.m. -- Open Meeting

James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms C and D, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The annual planning session. 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. Please note that 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, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail margaret.roberts@doe.virginia.gov.

† **May 17, 2006 - 1 p.m.** -- Open Meeting

Department of Education, James Monroe Building, 101 North 14th Street, 20th Floor Conference Room, Richmond Virginia.

A meeting of the Virginia State Special Education Advisory Committee to review State Operated Programs' annual plans. The committee meeting includes time to receive public comment. For additional information or if special accommodations are needed, please contact Ms. Beverly Wynter, Assistant to the Director of State Schools, Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218-2120; telephone 804/786-8079, TTY 804/786-2691. The public comment period will be from 2:15 to 2:30 p.m. More time for public comment will be added as needed. Those wishing to make public comment, but not able to attend the meeting may submit a statement that will be read to the committee by the Director of State Schools.

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 margaret.roberts@doe.virginia.gov.

Advisory Board on Teacher Education and Licensure

March 20, 2006 - 9 a.m. -- Open Meeting

April 24, 2006 - 9 a.m. -- Open Meeting

Location to be announced.

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. Please note that 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, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail margaret.roberts@doe.virginia.gov.

DEPARTMENT OF ENVIRONMENTAL QUALITY


† **March 7, 2006 - 1 p.m.** -- Open Meeting

Northumberland Public Library, 7204 Northumberland Highway, Heathsville, Virginia. 

A meeting of the advisory committee assisting in the development of fecal coliform TMDLs for shellfish propagation waters located in Northumberland County.

Contact: Chris French, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804) 527-5106, e-mail rcfrench@deq.virginia.gov.


† **March 7, 2006 - 7 p.m.** -- Open Meeting

Abraham and William Cooper Memorial Branch Library, 20 Washington Avenue, Colonial Beach, Virginia. 

The final public meeting on the development of TMDLs for fecal coliform bacteria for shellfish propagation waters located in Westmoreland County. The public notice appears in the Virginia Register of Regulations on March 6, 2006. The public comment period begins on March 7, 2006, and ends on April 6, 2006.

Contact: Chris French, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804) 527-5106, e-mail rcfrench@deq.virginia.gov.

March 8, 2006 - 7 p.m. -- Open Meeting


Staunton City Council Chambers, Staunton City Hall, 116 West Beverley Street, Staunton, Virginia. 

The final public meeting on the development of benthic TMDLs on Lewis Creek in Augusta County and the City of Staunton. The public notice appears in the Virginia Register of Regulations on February 20, 2006. The comment period begins on March 8, 2006, and ends on April 7, 2006.

Contact: Robert Brent, Department of Environmental Quality, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540)

574-7848, FAX (540) 574-7878, e-mail rnbrent@deq.virginia.gov.


March 9, 2006 - 2 p.m. -- Open Meeting

Ashland Town Council Chambers, Ashland Municipal Building, 101 Thompson Street, Ashland, Virginia. 

A meeting of the advisory committee assisting in the development of bacteria TMDLs for stream segments of the Pamunkey Basin located in Hanover, King William, Louisa, New Kent, Orange, and Spotsylvania counties. The public notice appears in the Virginia Register of Regulations on February 20, 2006.

Contact: Chris French, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804) 527-5106, e-mail rcfrench@deq.virginia.gov.

March 9, 2006 - 7 p.m. -- Open Meeting

Sontag Elementary School, Sontag Road (Rt. 619), Rocky Mount, Virginia. 

The final public meeting on the development of bacteria TMDLs for stream segments in the Pigg River and Old Womans Creek watersheds in Franklin and Pittsylvania counties. The public notice appears in the Virginia Register of Regulations on February 20, 2006. The comment period begins on March 9, 2006, and ends on April 9, 2006.

Contact: Mary R. Dail, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6715, FAX (540) 562-6860, e-mail mrdail@deq.virginia.gov.


March 14, 2006 - 7 p.m. -- Open Meeting

Staunton River High School, Moneta, Virginia. 

A public meeting on the development of bacteria TMDLs for the Beaverdam Creek watershed located in Bedford County. The public notice appears in the Virginia Register of Regulations on February 20, 2006. The comment period begins on March 14, 2006, and ends on April 14, 2006.

Contact: Mary R. Dail, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6715, FAX (540) 562-6860, e-mail mrdail@deq.virginia.gov.


† **March 15, 2006 - 6 p.m.** -- Open Meeting

Central Community Library, 8601 Mathis Avenue, Manassas, Virginia. 

The third public meeting on the development of TMDLs to address impairments in the Broad Run, South Run, Kettle Run, Occoquan River (below Lake Jackson), Little Bull Run, Bull Run, and Popes Head Creek watersheds located in Fairfax, Fauquier and Prince William counties. The public notice appears in the Virginia Register of Regulations on March 6, 2006. The public comment period begins on March 13, 2006, and ends on April 12, 2006.


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

Calendar of Events

March 15, 2006 - 7 p.m. -- Public Hearing
Pamplin Administration Building, 14016 Boydton Plank Road,
Board Meeting Room, Dinwiddie, Virginia. 


A public hearing on a modification to the Dinwiddie County Landfill permit that would allow the implementation of a groundwater presumptive remedy detailing the methods to be used to remediate groundwater contamination. The comment period began on February 1, 2006, and ends on March 30, 2006.

Contact: Larry Syverson, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4271, e-mail lwsyverson@deq.virginia.gov.

March 16, 2006 - 7 p.m. -- Open Meeting
Poquoson City Council Chambers, 500 City Hall Avenue,
Poquoson, Virginia. 

The first public meeting on the development of fecal coliform bacteria TMDLs for shellfish propagation waters located in the City of Poquoson and York County. The public notice appears in the Virginia Register of Regulations on February 20, 2006. The comment period begins on March 16, 2006, and ends on April 17, 2006.


Contact: Chester Bigelow, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4554, FAX (804) 698-4116, e-mail cbigelow@deq.virginia.gov.

† March 20, 2006 - 7 p.m. -- Public Hearing
Nelson Memorial Library, 8521 Thomas Nelson Highway,
Meeting Room, Lovingston, Virginia. 

A public hearing on an application for a modification to the Nelson County Landfill permit allowing for implementation of a groundwater corrective action plan that details the methods to be used to remediate groundwater contamination. The comment period begins on February 16, 2006, and ends on April 4, 2006.


Contact: Larry Syverson, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4271, e-mail lwsyverson@deq.virginia.gov.

NOTE: CHANGE IN MEETING DATE

† March 20, 2006 - 7 p.m. -- Open Meeting
Northumberland Public Library, 7204 Northumberland
Highway, Heathsville, Virginia. 

The final public meeting on the development of fecal coliform TMDLs for shellfish propagation waters located in Northumberland County. The public notice appears in the Virginia Register on March 6, 2006. The comment period begins on March 20, 2006, and ends on April 19, 2006.


Contact: Chris French, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804) 527-5106, e-mail rcfrench@deq.virginia.gov.

March 21, 2006 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street,
Richmond, Virginia. 

A meeting of the Ground Water Protection Steering Committee. The meeting will begin with a presentation by


Scott Kudlas, DEQ Office of Water Supply Planning. Agency updates will follow the presentation. The meeting will adjourn by 11 a.m.

Contact: Mary Ann Massie, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4042, e-mail mamassie@deq.virginia.gov.

† March 21, 2006 - 7 p.m. -- Public Hearing
Bowling Green Branch Library, Community Services Center,
17202 Richmond Turnpike, Bowling Green, Virginia. 


A public hearing on an application to modify a permit for the Closed Wilcox Sanitary Landfill at Fort A.P. Hill that would implement a ground water corrective action plan. The comment period began on February 15, 2006, and ends on April 5, 2006.


Contact: Larry Syverson, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4271, e-mail lwsyverson@deq.virginia.gov.

† March 21, 2006 - 7 p.m. -- Open Meeting
Shenandoah County Parks and Recreation Office Cafeteria,
508 Piccadilly Street, Edinburg, Virginia. 

The final public meeting on the development of TMDLs to address impairments of the North Fork Shenandoah River in Rockingham and Shenandoah counties, Stony Creek in Shenandoah County and Mill Creek in Shenandoah County. The public notice appears in the Virginia Register of Regulations on March 6, 2006. The comment period begins on March 21, 2006, and ends on April 20, 2006.


Contact: Robert Brent, Department of Environmental Quality, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, e-mail rbrent@deq.virginia.gov.

† March 22, 2006 - 7 p.m. -- Open Meeting
Eastern Hanover Volunteer Company #3, 4426 Mechanicsville
Turnpike, Meeting Room, Mechanicsville, Virginia. 

† March 23, 2006 - 7 p.m. -- Open Meeting
Louisa County Government Center, 1 Woolfolk Avenue, Main
Level Public Meeting Room, Louisa, Virginia. 

Final meetings on the development of TMDLs to address water quality impairments of stream segments in the Pamunkey River, South Anna River, Totopotomoy Creek, Newfound River, Taylor's Creek, Black's Creek, Monquin Creek/Webb Creek and Northeast Creek watersheds. Inclement weather make-up dates are March 29 and March 30 respectively. The comment period begins on March 20, 2006, and ends on April 19, 2006.


Contact: Chris French, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804) 527-5106, e-mail rcfrench@deq.virginia.gov.

March 23, 2006 - 7 p.m. -- Open Meeting
Sandy Bottom Nature Center, 1255 Big Bethel Road,
Conference Room, Hampton, Virginia. 

The final public meeting on the development of fecal coliform bacteria TMDLs for shellfish propagation waters located in the cities of Hampton and Poquoson and York

County. The comment period begins on March 23, 2006, and ends on April 21, 2006.


Contact: Chester Bigelow, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4554, FAX (804) 698-4116, e-mail cbigelow@deq.virginia.gov.

† **April 11, 2006 - 7 p.m.** -- Open Meeting
Abraham and William Cooper Memorial Branch Library, 20 Washington Avenue, Colonial Beach, Virginia. 

The final public meeting on the development of a TMDL for bacteria impairments of Mattox Creek in Prince George and Westmoreland counties. The comment period begins on March 22, 2006, and ends on April 21, 2006.

Contact: Chris French, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5124, FAX (804) 527-5106, e-mail rcfrench@deq.virginia.gov.

BOARD OF FORESTRY

April 18, 2006 - 1 p.m. -- Open Meeting
Virginia Military Institute, Lexington, Virginia.  (Interpreter for the deaf provided upon request)


A meeting at the Environment Virginia 2006 conference.

Contact: Donna S. Hoy, Administrative Staff Specialist, Department of Forestry, 900 Natural Resources Dr., Suite 800, Charlottesville, VA 22903, telephone (434) 977-6555, FAX (434) 977-7749, e-mail donna.hoy@dof.virginia.gov.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† **March 7, 2006 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting to hear possible violations of the laws and regulations governing the practice of funeral service.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail elizabeth.young@dhp.virginia.gov.

BOARD OF GAME AND INLAND FISHERIES


† **March 21, 2006 - 8:30 a.m.** -- Open Meeting
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Nominating Committee to finalize its recommendations for the board chairman and vice-chairman positions.


Contact: Belle Harding, Executive Secretary, Department of Game and Inland Fisheries, 4016 W Broad St., Richmond VA

23230, telephone (804) 367-9231, e-mail belle.harding@dgif.virginia.gov.


BOARD FOR GEOLOGY

April 5, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A regular meeting.

Contact: David E. Dick, Executive Director, Board for Geology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail geology@dpor.virginia.gov.

GOVERNOR'S EMS ADVISORY BOARD

† **May 11, 2006 - 3 p.m.** -- Open Meeting
The Place @ Innsbrook, Richmond, Virginia. 

A meeting of the Regulation and Policy Committee to review current EMS Regulations and proposed regulatory language changes.

Contact: Michael D. Berg, Manager, Regulation and Compliance, Department of Health, 109 Governor St., UB-55, Richmond, VA 23219, telephone (804) 864-7600, FAX (804) 864-7580, toll-free (800) 523-6019, e-mail michael.berg@vdh.virginia.gov.

STATE BOARD OF HEALTH

April 21, 2006 - 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 amend regulations entitled **12 VAC 5-590, Waterworks Regulations**. The purpose of the proposed action is to add a requirement for each community waterworks to develop and maintain an emergency management plan for extended power outages.

Statutory Authority: § 32.1-170 of the Code of Virginia.

Contact: Chris Adkins, Geologist Supervisor, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7495, FAX (804) 864-7521 or e-mail chris.adkins@vdh.virginia.gov.

DEPARTMENT OF HEALTH

April 7, 2006 - 10 a.m. -- Open Meeting
Department of Health, 109 Governor Street, 5th Floor Conference Room, Richmond, Virginia.

A meeting of the Sewage Handling and Disposal Advisory Committee to make recommendations to the commissioner regarding sewage handling and disposal policies, procedures and programs of the department.

Contact: Donald Alexander, Division Director, Department of Health, 109 Governor St., Richmond, VA 23219, telephone

Calendar of Events

(804) 864-7452, FAX (804) 864-7475, e-mail donald.alexander@vdh.virginia.gov.

DEPARTMENT OF HEALTH PROFESSIONS

March 24, 2006 - 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 Health Professions intends to amend regulations entitled **18 VAC 76-20, Regulations Governing the Prescription Monitoring Program**. The purpose of the proposed action is to conform the rules of the Prescription Monitoring Program for reporting and disclosure to the changes made during the 2005 Session of the General Assembly. Regulations will (i) eliminate provisions that may stand as a barrier to the adoption of electronic requests and disclosures, (ii) provide criteria for requests from prescribers who are not licensed in Virginia and (iii) establish requirements for notification by a dispenser to his patients about requests for disclosure of prescription information in the program.

Statutory Authority: §§ 54.1-2505 and 54.1-2520 of the Code of Virginia.

Public comments may be submitted until March 24, 2006, to Ralph Orr, Director, Prescription Monitoring Program, 6603 West Broad Street, Richmond, VA 23230-1717.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114, e-mail elaine.yeatts@dhp.virginia.gov.

March 30, 2006 - 11 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia ☎

A working meeting of the Advisory Committee of the Prescription Monitoring Program for the purpose of reviewing data collected for the Program Evaluation Workplan and a progress report on the enhancement and expansion of the program. A review of Practitioner Notification Reports in other states will be given. The committee will discuss the development of criteria to provide these reports and the resource information that will be provided with them. Public comments will be received during this meeting.

Contact: Ralph Orr, PMP, Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9133, FAX (804) 662-9240, e-mail ralph.orr@dhp.virginia.gov.

BOARD FOR HEARING AID SPECIALISTS

March 15, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, 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. 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 Hearing Aid Specialists, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail hearingaidspec@dpor.virginia.gov.

VIRGINIA COMMISSION ON HIGHER EDUCATION BOARD APPOINTMENTS

† **March 21, 2006 - 10 a.m.** -- Open Meeting
Patrick Henry Building, 1111 East Broad Street, 4th Floor Conference Room, Richmond, Virginia ☎

A meeting to discuss appointments to various public institutions of higher education.

Contact: Dawn Farrar, Deputy Secretary of the Commonwealth, P.O. Box 2454, Richmond, VA 23218, telephone (804) 786-8213, e-mail dawn.farrar@governor.virginia.gov.

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

NOTE: CHANGE IN MEETING TIME

March 13, 2006 - 4 p.m. -- Open Meeting
Northern Virginia Community College, Annandale Campus, Annandale, Virginia.

A briefing session about community college issues. This is not a regular meeting.

Contact: Lee Ann Rung, State Council of Higher Education for Virginia, James Monroe Bldg., 101 N 14th St., Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, e-mail leeanrunc@schev.edu.

NOTE: CHANGE IN MEETING TIME

March 14, 2006 - 11:30 a.m. -- Open Meeting
Northern Virginia Community College, Annandale Campus, Annandale, Virginia.

Committee meetings begin at 8:30 a.m. Agenda materials will be available on the website approximately one week prior to the meeting at www.schev.edu. A public comment period will be allocated on the meeting agenda. To be scheduled, those interested in making public comment should contact the person listed below no later than 5 p.m. three business days prior to the meeting date. At the time of the request, the speaker's name, address and topic must be provided. Each speaker will be given up to three minutes to address SCHEV. Speakers are asked to submit a written copy of their remarks at the time of comment.

Contact: Lee Ann Rung, State Council of Higher Education for Virginia, 101 N 14th St., Richmond, VA 23219, telephone

(804) 225-2602, FAX (804) 371-7911, e-mail
LeeAnnRung@schev.edu.

* * * * *

† **April 10, 2006 - 1 p.m.** -- Public Hearing

State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Main Conference Room, Richmond, Virginia.

May 8, 2006 - 5 p.m. -- 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 Council of Higher Education for Virginia intends to **repeal** regulations entitled **8 VAC 40-30, Regulations Governing the Approval of Certain Institutions to Confer Degrees, Diplomas and Certificates** and **adopt** regulations entitled **8 VAC 40-31, Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates**. The purpose of the proposed action is to govern the certification and operation of the Virginia private not-for-profit and for-profit postsecondary schools operating in Virginia, which includes instituting of higher education and nondegree schools that may be academic-career-technical or career-technical schools.

Statutory Authority: § 23-276.3 of the Code of Virginia.


Contact: Linda H. Woodley, Certification Manager, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, 9th Floor, Richmond, VA 23219, telephone (804) 371-2938, FAX (804) 225-2604, or e-mail lindawoodley@schev.edu.

BOARD OF HISTORIC RESOURCES

† **March 8, 2006 - 10 a.m.** -- Open Meeting


Virginia Historical Society, Halsey Lecture Hall, 428 North Boulevard, Richmond, Virginia. 

A meeting to consider proposed nominations for listing on the Virginia Landmarks Register, proposed Historic Preservation Easements, and proposed Historic Highway Markers. The State Review Board will consider proposed nominations to the National Register of Historic Places. They will also have an informal session in the afternoon to consider preliminary proposals for designation.


Contact: Marc Wagner, State and National Registers Manager, Department of Historic Resources, 2801 Kensington Avenue, Richmond VA 23221, telephone (804) 367-2323, FAX (804) 367-2391, (804) 367-2386/TTY , e-mail marc.wagner@dhr.virginia.gov.

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† **March 21, 2006 - 11 a.m.** -- Open Meeting

University of Virginia Darden School of Business, East Wing of the sponsors Executive Residence Center, 100 Darden Boulevard, Charlottesville, Virginia. 

A regular meeting of the Board of Commissioners to review and, if appropriate, approve the minutes from the prior meeting; may consider for approval and ratification mortgage loan commitments under its various programs; will review the authority's operations; and consider such other matters and take such other actions as they may deem appropriate. The board will hold a retreat meeting on March 19, 2006, commencing at 1 p.m. and will continue such retreat meeting on March 20, 2006, commencing at 9 a.m. The board may also meet during meals that are scheduled on March 19-21, 2006. Various committees of the Board of Commissioners, including the Programs Committee, the Audit/Operations Committee, the Executive Committee, and the Committee of the Whole, may meet during March 19 and 20, 2006, and before and after the regular meeting on March 21, 2006 and may consider matters within their purview. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.


Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701, toll-free (800) 968-7837, (804) 783-6705/TTY .

VIRGINIA INFORMATION TECHNOLOGIES AGENCY

Wireless E-911 Services Board

NOTE: CHANGE IN MEETING DATE

April 5, 2006 - 10 a.m. -- Open Meeting


Richmond Plaza Building, 110 South 7th Street, 4th Floor Auditorium, Richmond, Virginia. 

A regular board meeting.

Contact: Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 411 E. Franklin St., 5th Floor, Suite 500, Richmond, VA 23219, telephone (804) 371-0015, FAX (804) 371-2277, toll-free (866) 482-3911, e-mail steve.marzolf@vita.virginia.gov.

JAMESTOWN-YORKTOWN FOUNDATION

March 15, 2006 - 2 p.m. -- Open Meeting


Richmond area.  (Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee. This meeting is rescheduled from March 1, 2006. Please contact the Jamestown 2007 Office with questions.

Contact: Judy Leonard, Administrative Office Manager, Jamestown-Yorktown Foundation, 410 West Francis St., Williamsburg, VA 23185, telephone (757) 253-4253, FAX (757) 253-4950, e-mail judith.leonard@jyf.virginia.gov.

† **May 25, 2006 - 10 a.m.** -- Open Meeting

† **May 26, 2006 - 8 a.m.** -- Open Meeting

Crowne Plaza Fort Magruder, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

Calendar of Events

A semi-annual two-day Board of Trustees meeting. Public comment period to be provided on second day of meeting. Contact the Foundation for a complete schedule.

786-8418, (804) 786-2376/TTY ☎, e-mail bgd@doli.state.va.us.

Contact: Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, Post Office Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY ☎, e-mail laura.bailey@jyf.virginia.gov.

† **May 31, 2006 - Noon** -- Open Meeting
Alexandria, Virginia. (call contact below for specific location)
♿ (Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee. This meeting was changed from May 29.

Contact: Judith Leonard, Administrative Office Manager, Jamestown-Yorktown Foundation, 410 West Francis Street, Williamsburg, VA 23185, telephone (757) 253-4253, FAX (757) 253-4950, e-mail judith.leonard@jyf.virginia.gov.

STATE BOARD OF JUVENILE JUSTICE

April 12, 2006 - 9 a.m. -- Open Meeting
Shenandoah Valley Juvenile Center, 300 Technology Drive, Staunton, Virginia.

Meeting details will be provided closer to the meeting date.

Contact: Donald Carignan, Regulatory Coordinator, Department of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743, FAX (804) 371-0773, e-mail don.carignan@djj.virginia.gov.

DEPARTMENT OF LABOR AND INDUSTRY

Safety and Health Codes Board

† **March 7, 2006 - 10 a.m.** -- Open Meeting
State Corporation Commission, Tyler Building, 1300 East Main Street, Court Room A, Second Floor, Richmond, Virginia. ♿

A meeting to consider proposed regulatory changes.

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 ric@doli.state.va.us.

Virginia Apprenticeship Council

March 16, 2006 - 10 a.m. -- Open Meeting
Confederate Hills Recreation Building, 302 Lee Avenue, Highland Springs, Virginia. ♿

A regular business meeting.

Contact: Beverley Donati, Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804)

LIBRARY BOARD

March 13, 2006 - 8:15 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

Meetings of the board to discuss matters pertaining to the Library of Virginia and the board. Committees of the board will meet as follows:

8:15 a.m. - Public Library Development Committee, Orientation Room
Publications and Educational Services Committee, Conference Room B
Records Management Committee, Conference Room C

9:30 a.m. - Archival and Information Services Committee, Orientation Room
Collection Management Services Committee, Conference Room B
Legislative and Finance Committee, Conference Room C

10:30 a.m. - Library Board, Conference Room 2M

Contact: Jean H. Taylor, Executive Secretary to the Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

COMMISSION ON LOCAL GOVERNMENT

March 13, 2006 - 10 a.m. -- Open Meeting
The Jackson Center, 501 North 2nd Street, 1st Floor Board Room, Richmond, Virginia. ♿

A regular meeting to consider such matters as may be presented.

Contact: Ted McCormack, Associate Director, Commission on Local Government, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7090, (804) 371-7089/TTY ☎, e-mail ted.mccormack@dhcd.virginia.gov.


BOARD OF LONG-TERM CARE ADMINISTRATORS

April 11, 2006 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A general business meeting. A 15-minute public comment period is scheduled at the beginning of the meeting.

Contact: Sandra Reen, Executive Director, Board of Long-Term Care Administrators, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-9943 or e-mail sandra.reen@dhp.virginia.gov.


LONGWOOD UNIVERSITY

† **March 24, 2006 - 8:45 a.m.** -- Open Meeting
Longwood University, Lancaster Hall 102, 201 High Street,
Farmville, Virginia. 

Meetings of the following committees:

8:45 a.m. - Audit
9:15 a.m. - Administration, Finance and Facilities
1:15 p.m. - University Advancement
2:15 p.m. - Academic and Student Affairs


Contact: Jeanne Hayden, Longwood University, Office of the
President, Longwood University, 201 High St., Farmville, VA
23909, telephone (434) 395-2004, e-mail
haydenjs@longwood.edu.

† **March 25, 2006 - 9 a.m.** -- Open Meeting
Longwood University, Lancaster Hall 102, 201 High Street,
Farmville, Virginia. 

A meeting of the Board of Visitors to conduct routine
business.

Contact: Jeanne Hayden, Longwood University, Office of the
President, Longwood University, 201 High St., Farmville, VA
23909, telephone (434) 395-2004, e-mail
haydenjs@longwood.edu.

VIRGINIA MANUFACTURED HOUSING BOARD

March 16, 2006 - 10 a.m. -- Public Hearing
Department of Housing and Community Development,
Jackson Center, 501 North Second Street, Richmond,
Virginia.  (Interpreter for the deaf provided upon request)

NOTE: CHANGE IN COMMENT DEADLINE


March 28, 2006 - 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 Manufactured Housing Board
intends to amend regulations entitled **13 VAC 6-20,
Manufactured Housing Licensing and Transaction
Recovery Fund Regulations**. The purpose of the proposed
action is to comply with statutory language and to correct
references within the regulation.


Statutory Authority: § 36-85.18 of the Code of Virginia.

Contact: Steve Calhoun, Regulatory Coordinator, Department
of Housing and Community Development, 501 North 2nd
Street, Richmond, VA 23219, telephone (804) 371-7015, FAX
(804) 371-7090 or e-mail steve.calhoun@dhcd.virginia.gov.


MARINE RESOURCES COMMISSION

March 28, 2006 - 9:30 a.m. -- Open Meeting
† **April 25, 2006 - 9:30 a.m.** -- Open Meeting
† **May 23, 2006 - 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) 247-2215, FAX
(757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY
, e-mail jane.mccroskey@mrc.virginia.gov.

BOARD OF MEDICAL ASSISTANCE SERVICES


April 11, 2006 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad
Street, 13th Floor Conference Room, Richmond, Virginia. 

A quarterly meeting.


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.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

† **March 23, 2006 - 2 p.m.** -- Open Meeting

† **May 11, 2006 - 2 p.m.** -- Open Meeting
Department of Medical Assistance Services, 600 E. Broad
Street, 13th Floor Board Room, Richmond, Virginia. 

A meeting of the Drug Utilization Review Board to discuss
Medicaid pharmacy issues as related to this board.

Contact: Rachel Cain, Pharmacist, Department of Medical
Assistance Services, 600 E. Broad St., Suite 1300, Richmond,
VA 23219, telephone (804) 371-0918, FAX (804) 786-0973,
(800) 343-0634/TTY , e-mail
rachel.cain@dmas.virginia.gov.

March 24, 2006 - 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 **Smiles for
Children:**

**12 VAC 30-50, Amount, Duration and Scope of Medical
and Remedial Care Services.**

12 VAC 30-120, Waivered Services.

**12 VAC 30-141, Family Access to Medical Insurance
Security Plan (FAMIS).**

The purpose of the proposed action is to reshape the prior
authorization regime for dental services and to enhance
access to dental services for pediatric Medicaid recipients
and for participants in the Family Access to Medical
Insurance Security (FAMIS) program.

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

Contact: Sandra Brown, Project Manager, Department of
Medical Assistance Services, 600 E. Broad St., Suite 1300,

Calendar of Events

Richmond, VA 23219, telephone (804) 786-1567, FAX (804) 786-1680 or e-mail sandra.brown@dmas.virginia.gov.

March 30, 2006 - 9 a.m. -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Richmond, Virginia.

A meeting of the Pharmacy and Therapeutics Committee for the annual review of PDL Phase II and review of new drugs in PDL Phase I and potential new PDL drug classes.

Contact: Katina Goodwyn, Pharmacy Contract Manager, Department of Medical Assistance Services, 600 East Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0428, FAX (804) 786-0973, (800) 343-0634/TTY ☎, e-mail katina.goodwyn@dmas.virginia.gov.

† **April 14, 2006 - 11 a.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Board Room, Richmond, Virginia. 📍

A meeting of the Dental Advisory Committee to review the new Smiles for Children Dental Program.

Contact: Sandra Brown, Dental Program Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-1567, FAX (804) 786-5799, (800) 343-0634/TTY ☎, e-mail sandra.brown@dmas.virginia.gov.

† **April 19, 2006 - 1 p.m.** -- Open Meeting

Department of Medical Assistance Services, 600 E. Broad Street, 13th Floor Board Room, Richmond, Virginia. 📍

A meeting of the Medicaid Transportation Advisory Committee to discuss Medicaid transportation issues with the committee and the community.

Contact: Bob Knox, Transportation Supervisor, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854, FAX (804) 786-6035, (800) 343-0634/TTY ☎, e-mail robert.knox@dmas.virginia.gov.

† **May 17, 2006 - 4 p.m.** -- Open Meeting

Richmond, Virginia area; location to be announced.

A meeting of the Managed Care Advisory Committee to discuss Medicaid managed care issues as related to this committee.

Contact: Donna Garrett, 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.

BOARD OF MEDICINE

March 8, 2006 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 📍

March 15, 2006 - 9 a.m. -- Open Meeting

Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. 📍

March 21, 2006 - 9 a.m. -- Open Meeting

Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia. 📍

March 30, 2006 - 9:15 a.m. -- Open Meeting

Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia. 📍

A special conference committee will convene informal conferences to inquire into allegations that certain practitioners of medicine or other healing arts may have violated certain laws and regulations governing the practice of medicine. Further, the committee may review cases with board staff for case disposition, including consideration of consent orders for settlement. The committee will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

Contact: Renee S. Dixson, Discipline Case Manager, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7009, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail renee.dixson@dhp.virginia.gov.

† **March 10, 2006 - 9 a.m.** -- Open Meeting

† **March 24, 2006 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 📍

Formal hearings to inquire into allegations that certain practitioners may have violated certain laws and regulations governing the practice of medicine. The board will meet in open and closed sessions pursuant to § 2.2-3711 A 7, 15 and/or 28. Public comment will not be received.

Contact: Renee Dixson, Discipline Case Manager, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7009, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail renee.dixson@dhp.virginia.gov.

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March 24, 2006 - 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 85-20, Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic**. The purpose of the proposed action is to amend the educational requirements for graduates and former students of institutions not approved by an accrediting agency recognized by the board to specify that at least one of the required two years of postgraduate training or study in the United States or Canada must be as an intern or resident in a hospital or health care facility.

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

Public comments may be submitted until March 24, 2006, to 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.virginia.gov.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6606 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

March 24, 2006 - 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 85-20, Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic**. The purpose of the proposed action is to clarify that performance of a major conductive block for diagnostic or therapeutic purposes does not require the services of an anesthesiologist or a certified registered nurse anesthetist, but could be administered by a physician qualified by experience and training in such a procedure.

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

Public comments may be submitted until March 24, 2006, to 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.virginia.gov.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6606 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

April 7, 2006 - 8 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ♿

A meeting of the Executive Committee 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.virginia.gov.

May 19, 2006 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ♿

A meeting of the Legislative Committee to consider regulatory 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.virginia.gov.

Advisory Board on Occupational Therapy

† **June 6, 2006 - 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 regulations of occupational therapy. 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.virginia.gov.

Advisory Board on Respiratory Care

† **June 6, 2006 - 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 regulations of respiratory care. 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.virginia.gov.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

April 19, 2006 - 10 a.m. -- Open Meeting
Henrico Community Service Board, 10299 Woodman Road, Conference Room C, Glen Allen, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Virginia Mental Health Planning Council to review the MHBG plan, review the MHBG implementation report, develop a plan for 2006 issues, and monitor and evaluate mental health programs.

Contact: Will Ferriss, LCSW, Director, Planning and Evaluation, Office of Mental Health, Department of Mental Health, Mental Retardation and Substance Abuse Services, 1220 Bank St., Richmond, VA 23218, telephone (804) 371-0363, FAX (804) 371-0091, e-mail will.ferriss@co.dmhmrsas.virginia.gov.

MOTOR VEHICLE DEALER BOARD

† **March 13, 2006 - 8:30 a.m.** -- Open Meeting
Motor Vehicle Dealer Board, 2300 West Broad Street, Room 702, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Committees will meet as follows:

Dealer Practices Committee - 8:30 a.m.

Calendar of Events

Licensing Committee - Immediately following Dealer Practices.

Advertising Committee - 9:30 a.m. or immediately after Licensing, whichever is later.

Transaction Recovery Fund Committee - Immediately following Advertising.


Franchise Law Committee - To be scheduled as needed.


Full Board Meeting - 10 a.m. or 5-45 minutes following Transaction Recovery Fund.

Note: Meetings may begin later, but not earlier than scheduled. Meeting end times are approximate. Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.


Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053, toll-free (877) 270-0203, e-mail dboard@mvdv.virginia.gov.

VIRGINIA MUSEUM OF FINE ARTS

March 7, 2006 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 200 North Boulevard, The Pauley Center Dining Room, Richmond, Virginia. 


April 4, 2006 - 8 a.m. -- Open Meeting
May 2, 2006 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 200 North Boulevard, CEO 2nd Floor Meeting Room, Richmond, Virginia. 


An Executive Committee work session for staff to update the 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, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

March 7, 2006 - 10 a.m. -- Open Meeting
March 8, 2006 - 9 a.m. -- Open Meeting
307 Stockton Lane, Richmond, Virginia.

A meeting of the Search Committee for staff to update the committee. A closed session will be requested. Public comment will not be received.


Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220, telephone (804) 340-1503, toll-free (800) 943-8632, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

March 13, 2006 - 2 p.m. -- Open Meeting
Virginia Museum of Fine Arts, 200 North Boulevard, The Pauley Center 2nd Floor Meeting Room, Richmond, Virginia 


A meeting of the Nominating and Governance Committee for staff to update the committee. A closed session will be requested. Public comment will not be received.


Contact: Suzanne Broyles, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220, telephone (804) 340-1503, e-mail sbroyles@vmfa.state.va.us.

BOARD OF NURSING


March 20, 2006 - 9 a.m. -- Open Meeting
March 22, 2006 - 9 a.m. -- Open Meeting
March 23, 2006 - 9 a.m. -- Open Meeting
May 15, 2006 - 9 a.m. -- Open Meeting
May 17, 2006 - 9 a.m. -- Open Meeting
May 18, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. 

A panel of the board will conduct formal hearings 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.virginia.gov.


March 21, 2006 - 9 a.m. -- Open Meeting
May 16, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. 


A meeting to conduct general business including receipt of committee reports, and consideration of regulatory action and discipline 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.virginia.gov.

March 31, 2006 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Medication Aide Curriculum Committee to discuss curriculum development for the medication aide program.

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.virginia.gov.

April 3, 2006 - 9 a.m. -- Open Meeting
April 12, 2006 - 9 a.m. -- Open Meeting
April 13, 2006 - 9 a.m. -- Open Meeting
April 18, 2006 - 9 a.m. -- Open Meeting
April 24, 2006 - 9 a.m. -- Open Meeting
April 25, 2006 - 9 a.m. -- Open Meeting
† June 1, 2006 - 9 a.m. -- Open Meeting
† June 5, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A Special Conference Committee comprised of two or three members of the Virginia Board of Nursing or agency subordinate will conduct informal conferences with licensees and 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.virginia.gov.

JOINT BOARDS OF NURSING AND MEDICINE

April 12, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 📍

A regular meeting.

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.virginia.gov.

OLD DOMINION UNIVERSITY

March 20, 2006 - Noon -- Open Meeting

May 15, 2006 - Noon -- Open Meeting

Webb University Center, Old Dominion University, Norfolk, Virginia. 📍

A regular meeting of the Executive Committee of the Board of Visitors to discuss business of the board and the institution as determined by the Rector and the President. Public comment will not be received by the board.

Contact: Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Old Dominion University, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

April 7, 2006 - 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. Public comment will not be received by the Board.

Contact: Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Old Dominion University, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

BOARD FOR OPTICIANS

April 7, 2006 - 9:30 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, 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. Person 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 Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail opticians@dpor.virginia.gov.

VIRGINIA OUTDOORS FOUNDATION

April 6, 2006 - 10 a.m. -- Open Meeting

April 7, 2006 - 9 a.m. -- Open Meeting

Eastern Shore, Virginia (location to be announced).

A meeting to discuss policy and easement. Public comment will be received.

Contact: Trisha Cleary, Administrative Assistant, Department of Conservation and Recreation, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 225-2147, FAX (804) 371-4810, e-mail tcleary@vofonline.org.

BOARD OF PHARMACY

March 8, 2006 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, Fifth Floor, Conference Room 2, Richmond, Virginia. 📍

A meeting to consider 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 scottirussell@dhp.virginia.gov.

BOARD OF PHYSICAL THERAPY

March 24, 2006 - 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 establish criteria for acceptance of organizations other than the Foreign

Calendar of Events

Credentialing Commission on Physical Therapy (FCCPT) for credentialing applicants for physical therapy licensure who are graduates of schools that are not approved or accredited and to allow an applicant for licensure by endorsement to substitute evidence of active, clinical practice with an unrestricted license in another U.S. jurisdiction for the past five years in lieu of documentation of having met the educational and examination requirements of these regulations.

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 March 24, 2006, to Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.virginia.gov.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6606 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

April 8, 2006 - 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 Professional and Occupational Regulation intends to amend regulations entitled **18 VAC 120-40, Virginia Professional Boxing and Wrestling Regulations**. The purpose of the proposed action is to create a limited boxing and wrestling license.

Statutory Authority: § 54.1-831 of the Code of Virginia.

Contact: Karen O'Neal, Deputy Director for Licensing and Regulation, 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.oneal@dpor.virginia.gov.

BOARD OF PSYCHOLOGY

April 11, 2006 - 9:30 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 regulatory and disciplinary 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.virginia.gov.

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

March 23, 2006 - 10 a.m. -- Open Meeting
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia. ♿

A quarterly meeting.

Contact: Janet Dingle Brown, Esq., Public Guardianship Coordinator and Legal Services Developer, Virginia 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 janet.brown@vda.virginia.gov.

REAL ESTATE APPRAISER BOARD

May 2, 2006 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿

A meeting to discuss board business.

Contact: Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, e-mail reappraisers@dpor.virginia.gov.

REAL ESTATE BOARD

† **March 14, 2006 - 10 a.m.** -- Open Meeting
Roanoke County Government Administration Center, 5204 Bernard Drive, 4th Floor, Roanoke, Virginia. ♿

† **March 22, 2006 - 2 p.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting to conduct an informal fact-finding conference.

Contact: Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, e-mail reboard@dpor.virginia.gov.

March 23, 2006 - 9 a.m. -- Open Meeting


May 11, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿

A meeting to discuss board business.


Contact: Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, e-mail reappraisers@dpor.virginia.gov.

DEPARTMENT OF REHABILITATIVE SERVICES


State Rehabilitation Council

March 13, 2006 - 11:30 a.m. -- Open Meeting
DRS Field Office, 3248 Academy Avenue, Suite 22-26,
Portsmouth, Virginia.  (Interpreter for the deaf provided upon
request)


A quarterly meeting to advise the Department of
Rehabilitative Services on matters related to vocational
rehabilitation services for vocational rehabilitation citizens of
the Commonwealth.

Contact: Barbara Tyson, SRC Staff Support, Department of
Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-
300, Richmond, VA 23288-0300, telephone (804) 662-7010,
FAX (804) 662-7644, toll-free (800) 552-5019, (804) 662-
9040/TTY , e-mail barbara.tyson@drs.virginia.gov.

Commonwealth Neurotrauma Initiative Trust Fund Advisory Board

March 17, 2006 - 10 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms
Drive, Conference Room 101, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Kristie Chamberlain, Program Administrator,
Department of Rehabilitative Services, 8004 Franklin Farms
Dr., P.O. Box K-300, Richmond, VA 23229, telephone (804)
662-7154, FAX (804) 662-7663, toll-free (800) 552-5019,
(800) 552-5019/TTY , e-mail
kristie.chamberlain@drs.virginia.gov.

VIRGINIA RESEARCH AND TECHNOLOGY ADVISORY COMMISSION

March 21, 2006 - 1 p.m. -- Open Meeting
NOTE: CHANGE IN MEETING LOCATION
Virginia Economic Development Partnership, 901 East Byrd
Street, 20th Floor, Presentation Room, Richmond, Virginia.

A quarterly meeting.

Contact: Nancy Vorona, Virginia Research and Technology
Advisory Commission, 2214 Rock Hill Rd., Suite 600,
Herndon, VA 20170, telephone (703) 689-3043, e-mail
nvorona@cit.org.

May 16, 2006 - 11 a.m. -- Open Meeting
Washington, D.C. area

A tentative quarterly meeting and Capitol Hill Day
Luncheon. Exact time and location to be determined.

Contact: Nancy Vorona, Virginia Research and Technology
Advisory Commission, 2214 Rock Hill Rd., Suite 600,
Herndon, VA 20170, telephone (703) 689-3043, e-mail
nvorona@cit.org.


VIRGINIA RESOURCES AUTHORITY

† **March 14, 2006 - 9 a.m.** -- Open Meeting
† **April 11, 2006 - 9 a.m.** -- Open Meeting
Virginia Resources Authority, 8th and Main Building, 2nd Floor
Conference Room, Richmond, Virginia.

A regular monthly board meeting.

Contact: Amy Boratyn, Executive Assistant, Virginia
Resources Authority, 707 E. Main St., Suite 1350, Richmond,
VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-
mail temp@virginiareources.org.


VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **March 15, 2006 - Noon** -- Open Meeting
Department of Business Assistance, 707 East Main Street,
3rd Floor Board Room, Richmond, Virginia. 


A meeting to review applications for loans submitted to the
authority for approval and general business of the board.
Time is subject to change depending upon the board's
agenda.

Contact: Scott E. Parsons, Executive Director, Department of
Business Assistance, 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.

BOARD OF SOCIAL WORK


April 7, 2006 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. 

A regularly business meeting.

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

NOTE: CHANGE IN MEETING DATE

† **May 4, 2006 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting of the Soil Scientists and Wetland Delineators
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 least 10 days prior to the meeting so that
suitable arrangements can be made. The department fully
complies with the Americans with Disabilities Act.

Calendar of Events

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.

COMMONWEALTH TRANSPORTATION BOARD

† **March 16, 2006 - Noon** -- Open Meeting
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. ♿

A combined workshop and regularly scheduled meeting to transact CTB business, such as permits, additions/deletions to the highway system, and other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups will be asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact VDOT Public Affairs at (804) 786-2715 for schedule.

Contact: Carol Mathis, Administrative Staff Assistant, Commonwealth Transportation Board, Policy Division, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-2401, e-mail carol.mathis@vdot.virginia.gov.

TREASURY BOARD

March 15, 2006 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Richmond, Virginia. ♿

A regular meeting.

Contact: J. Braxton Powell, Treasurer, Department of the Treasury, 101 N. 14th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-6011, FAX (804) 225-3187, e-mail braxton.powell@trs.virginia.gov.

DEPARTMENT OF VETERANS SERVICES

Board of Veterans Services

April 4, 2006 - 2 p.m. -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia. ♿

A regular meeting.

Contact: Rhonda Earman, Special Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0286, e-mail rhonda.earman@dvs.virginia.gov.

Joint Leadership Council of Veterans Service Organizations

March 15, 2006 - 11 a.m. -- Open Meeting
Richmond area (location to be determined). ♿

A regular meeting.

Contact: Steve Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0294, e-mail steven.combs@dvs.virginia.gov.

STATE WATER CONTROL BOARD

March 10, 2006 - Public comment 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 25-660, Virginia Water Protection General Permit for Impacts Less Than One-Half Acre**. The purpose of the proposed action is to review and renew the general permit that is scheduled to expire in October 2006.

Statutory Authority: §§ 62.1-44.15 and 62.1-44.15:5 of the Code of Virginia.

Contact: Catherine Harold, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4047, FAX (804) 698-4347, e-mail cmharold@deq.virginia.gov.

March 10, 2006 - Public comment 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 25-670, Virginia Water Protection General Permit for Facilities and Activities of Utility and Public Service Companies Regulated by the Federal Energy Regulatory Commission or the State Corporation Commission and Other Utility Line Activities**. The purpose of the proposed action is to review and reissue the VWP General Permit that expires in October 2006.

Statutory Authority: §§ 62.1-44.15 and 62.1-44.15:5 of the Code of Virginia.

Contact: Catherine Harold, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4047, FAX (804) 698-4347, e-mail cmharold@deq.virginia.gov.

March 10, 2006 - Public comment 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 25-680, Virginia Water Protection General Permit for Linear Transportation Projects**. The purpose of the proposed action is to review and reissue the VWP General Permit that expires in October 2006.

Statutory Authority: §§ 62.1-44.15 and 62.1-44.15:5 of the Code of Virginia.

Contact: Catherine Harold, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4047, FAX (804) 698-4347, e-mail cmharold@deq.virginia.gov.

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March 10, 2006 - Public comment 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 25-690, Virginia Water Protection General Permit for Impacts from Development Activities**. The purpose of the proposed action is to review and renew the VWP General Permit that is scheduled to expire in October 2006.

Statutory Authority: §§ 62.1-44.15 and 62.1-44.15:5 of the Code of Virginia.

Contact: Catherine Harold, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4047, FAX (804) 698-4347, e-mail cmharold@deq.virginia.gov.

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March 21, 2006 - 2 p.m. -- Public Hearing
Department of Environmental Quality, 7705 Timberlake Road, Lynchburg, Virginia.

April 5, 2006 - 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 25-260, Water Quality Standards**. The purpose of the proposed action is to designate two tributaries to the Pedlar River, three tributaries to the North Fork of the Buffalo River and the North Fork of the Buffalo River as Tier III Exceptional State Waters.

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

Contact: David C. Whitehurst, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4121, FAX (804) 698-4116 or e-mail dcwhitehurst@deq.virginia.gov.

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March 23, 2006 - 10 a.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

April 7, 2006 - 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 25-260, Water Quality Standards**. The purpose of the proposed action is to

include new numerical and narrative criteria to protect designated uses of lakes and reservoirs from the impacts of nutrients. The rulemaking may also include new and revised use designations for certain categories of lakes and reservoirs.

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

Contact: Jean W. Gregory, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, FAX (804) 698-4116 or e-mail jwggregory@deq.virginia.gov.

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March 27, 2006 - 4 p.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

March 28, 2006 - 2 p.m. -- Public Hearing
Department of Environmental Quality, South Central Regional Office, 7705 Timberlake Road, Lynchburg, Virginia.

April 4, 2006 - 2 p.m. -- Public Hearing
Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia.

April 21, 2006 - Public comment 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 25-210, Virginia Water Protection Permit Regulation**. The purpose of the proposed action is to amend and revise the Virginia Water Protection Permit (VWPP) Regulation and consider whether the following changes should be made: (i) to incorporate changes to the Code of Virginia relating to the emergency permitting of water withdrawal projects; (ii) to incorporate the U.S. Supreme Court's ruling in Virginia vs. Maryland; (iii) to include changes already made to the general permit regulations that corrected administrative procedures, clarified application and permitting requirements, and allowed for a more efficient application review process; (iv) to implement a formal pre-application scoping process for water supply projects; (v) to clarify the requirement for cumulative impact assessment for water supply projects; (vi) to clarify requirements for alternatives analysis for water supply projects; (vii) to investigate ways to simplify, clarify and improve coordination of state agency reviews and comments for water supply projects; (viii) to clarify who does and does not need a permit for a water withdrawal by more clearly defining certain terms in light of the statutory "grandfathering" of certain withdrawals; and (ix) to clarify the process and criteria for establishing minimum instream flow requirements and evaluation of responses during drought conditions.

Statutory Authority: §§ 62.1-44.15 and 62.1-44.15:5 of the Code of Virginia.

Contact: Scott Kudlas, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4456, FAX (804) 698-4347, e-mail swkudlas@deq.virginia.gov.

Calendar of Events


March 27, 2006 - 5:30 p.m. -- Public Hearing
Dabney S. Lancaster Community College, Moomaw Student Center, 1000 Dabney Drive, Clifton Forge, Virginia.

April 11, 2006 - 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 25-260, Water Quality Standards**. The purpose of the proposed action is to designate portions of the tributaries of the Simpson Creek as Tier III Exceptional State Waters.

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

Contact: Jean W. Gregory, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, FAX (804) 698-4116 or e-mail jwgregory@deq.virginia.gov.

† March 28, 2006 - 7 p.m. -- Public Hearing
Rappahannock High School, Auditorium, 12576 Lee Highway, Washington, Virginia. 


A public hearing on a proposed Virginia Pollutant Discharge Elimination System Permit for the Town of Washington. The comment period began on February 24, 2006, and ends on April 12, 2006.

Contact: Susan A. Oakes, State Water Control Board, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3863, FAX (703) 583-3841, e-mail saoakes@deq.virginia.gov.

March 30, 2006 - 9:30 a.m. -- Open Meeting

April 27, 2006 - 9:30 a.m. -- Open Meeting


† May 31, 2006 - 9:30 a.m. -- Open Meeting

Department of Environmental Quality Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


A meeting of the advisory committee established to assist in the development of regulations concerning wastewater reclamation and reuse.

Contact: Valerie Rourke, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4158, e-mail varourke@deq.virginia.gov.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS


March 8, 2006 - 8:30 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. All meetings are subject to cancellation. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board 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: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail waterwasteoper@dpor.virginia.gov.

INDEPENDENT

STATE LOTTERY BOARD


March 15, 2006 - 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.

VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY

Board for Protection and Advocacy

April 25, 2006 - 9 a.m. -- Open Meeting
Woodrow Wilson Rehabilitation Center, Fishersville, Virginia  (Interpreter for the deaf provided upon request)


A meeting of the governing board. Public comment is welcomed by the board and will be received beginning at 9 a.m. Public comment will also be accepted by telephone. If you wish to provide public comment via telephone, call Lisa Shehi, Administrative Assistant at 1-800-552-3962 (Voice/TTY) or e-mail at lisa.shehi@vopa.virginia.gov no later than April 11, 2006. Ms. Shehi will take your name and phone number and you will be telephoned during the public comment period. If interpreter services or other accommodations are required, please contact Ms. Shehi no later than April 11, 2006.

Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Avenue, Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail lisa.shehi@vopa.virginia.gov.

Disabilities Advisory Council

April 12, 2006 - 10 a.m. -- Open Meeting
Location to be determined  (Interpreter for the deaf provided upon request)

A regular meeting.


Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail lisa.shehi@vopa.virginia.gov.

PAIMI Advisory Council

May 18, 2006 - 10 a.m. -- Open Meeting


Location to be determined  (Interpreter for the deaf provided upon request)

Public comment is welcome and will be received at the beginning of the meeting. For those needing interpreter services or other accommodations, please contact Ms. Lisa Shehi before May 4, 2006.


Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail lisa.shehi@vopa.virginia.gov.

VIRGINIA RETIREMENT SYSTEM


† March 22, 2006 - 1 p.m. -- Open Meeting

Virginia Retirement System, Investment Department, 1111 East Main Street, 3rd Floor Conference Room, Richmond Virginia. 


A special meeting of the Workshop on Conflict of Interest and Fiduciary Ethics. No public comment will be received at the meeting.

Contact: LaShanda King, Executive Assistant, Virginia Retirement System, 1200 East 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@varetire.org.


April 6, 2006 - 1 p.m. -- Open Meeting

Virginia Retirement System Investment Department, 1111 East Main Street, 3rd Floor, Richmond, Virginia. 


A regular meeting of the Board of Trustees. No public comment will be received at this meeting.

Contact: Harriet Covey, Administrative 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 hcovey@varetire.org.

† May 25, 2006 - 9 a.m. -- Open Meeting

Virginia Retirement System, Investment Department, 1111 East Main Street, 3rd Floor Conference Room, Richmond Virginia. 

A meeting of the Investment Advisory Committee. No public comment will be received at the meeting.

Contact: Linda Ritchey, Executive Assistant, Virginia Retirement System, 1111 E. Main St., Richmond, VA 23219, telephone (804) 697-6673, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail lritchey@varetire.org.

LEGISLATIVE

Legislative meetings held during the Session of the General Assembly are exempted from publication in the *Virginia Register of Regulations*. You may call Legislative Information

for information on standing committee meetings. The number is (804) 698-1500.

CHRONOLOGICAL LIST

OPEN MEETINGS

March 6

Alcoholic Beverage Control Board

March 7

† Charitable Gaming Board

Contractors, Board for

† Environmental Quality, Department of

† Funeral Directors and Embalmers, Board of

† Labor and Industry, Department of

- Safety and Health Codes Board

Museum of Fine Arts, Virginia

March 8

Environmental Quality, Department of

† Historic Resources, Board of

Medicine, Board of

Museum of Fine Arts, Virginia

Pharmacy, Board of

Waterworks and Wastewater Works Operators, Board for

March 9

Agriculture and Consumer Services, Department of

- Virginia Soybean Board

† Conservation and Recreation, Department of

† Contractors, Board for

Environmental Quality, Department of

March 10

Child Fatality Review Team, State

† Medicine, Board of

March 11

Blind and Vision Impaired, Department for the

- Rehabilitation Council for the Blind

March 13

Asbestos, Lead, and Home Inspectors, Virginia Board for

† Economic Development Partnership, Virginia

Higher Education for Virginia, State Council of

Library Board, State

Local Government, Commission on

† Motor Vehicle Dealer Board

Museum of Fine Arts, Virginia

Rehabilitative Services, Department of

- State Rehabilitation Council

March 14

Alzheimer's Disease and Related Disorders Commission

Contractors, Board for

Corrections, Board of

Environmental Quality, Department of

Higher Education for Virginia, State Council of

† Real Estate Board

† Resources Authority, Virginia

March 15

Architects, Professional Engineers, Land Surveyors,

Certified Interior Designers and Landscape Architects,

Board for

Community Colleges, State Board for

† Conservation and Recreation, Department of

Corrections, Board of

† Environmental Quality, Department of

Calendar of Events

- Hearing Aid Specialists, Board for
Jamestown-Yorktown Foundation
Lottery Board, State
Medicine, Board of
† Small Business Financing Authority, Virginia
Treasury Board
Veterans Services, Department of
- Joint Leadership Council of Veterans Service Organizations
- March 16**
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for
Community Colleges, State Board for
Conservation and Recreation, Department of
- Virginia Soil and Water Conservation Board
Design Build/Construction Management Review Board
Environmental Quality, Department of
Labor and Industry, Department of
- Virginia Apprenticeship Council
† Transportation Board, Commonwealth
- March 17**
Dentistry, Board of
Rehabilitative Services, Department
- Commonwealth Neurotrauma Initiative Trust Fund Advisory Board
- March 20**
Alcoholic Beverage Control Board
Education, Board of
- Advisory Board on Teacher Education and Licensure
† Environmental Quality, Department of
Nursing, Board of
Old Dominion University
- March 21**
† Agriculture and Consumer Services, Department of
- Virginia Peanut Board
Contractors, Board for
Environmental Quality, Department of
- Ground Water Protection Steering Committee
† Game and Inland Fisheries, Board of
† Higher Education Board Appointments, Virginia Commission on
† Housing Development Authority, Virginia
Medicine, Board of
Nursing, Board of
Research and Technology Advisory Commission, Virginia
- March 22**
Agriculture and Consumer Services, Board of
Education, Board of
† Environmental Quality, Department of
Nursing, Board of
† Real Estate Board
† Retirement System, Virginia
- March 23**
† Conservation and Recreation, Department of
Environmental Quality, Department of
† Medical Assistance Services, Department of
Nursing, Board of
Public Guardian and Conservator Advisory Board, Virginia
Real Estate Board
- March 24**
† Longwood University
- † Medicine, Board of
- March 25**
† Longwood University
- March 27**
Agriculture and Consumer Services, Department of
- Virginia Agricultural Council
Chesapeake Bay Local Assistance Board
- March 28**
Agriculture and Consumer Services, Department of
- Virginia Agricultural Council
† Contractors, Board for
Marine Resources Commission
- March 29**
† Arts, Virginia Commission for the
Compensation Board
- March 30**
Health Professions, Department of
Medical Assistance Services, Department of
Medicine, Board of
Water Control Board, State
- March 31**
† At-Risk Youth and Families, Comprehensive Services for
Dentistry, Board of
Nursing, Board of
- April 3**
Alcoholic Beverage Control Board
Nursing, Board of
- April 4**
Museum of Fine Arts, Virginia
Veterans Services, Department of
- Board of Veterans Services
- April 5**
† Agriculture and Consumer Services, Department of
- Virginia Horse Industry Board
Asbestos, Lead, and Home Inspectors, Virginia Board for
Geology, Board for
Information Technologies Agency, Virginia
- Wireless E-911 Services Board
- April 6**
Outdoors Foundation, Virginia
Retirement System, Virginia
- April 7**
Art and Architectural Review Board
Health, Department of
- Sewage Handling and Disposal Advisory Committee
Medicine, Board of
Old Dominion University
Opticians, Board for
Outdoors Foundation, Virginia
Social Work, Board of
- April 11**
† Arts, Virginia Commission for the
† Blind and Vision Impaired, Department for the
† Environmental Quality, Department of
Long-Term Care Administrators, Board of
Medical Assistance Services, Board of
Psychology, Board of
† Virginia Resources Authority
- April 12**
† Arts, Virginia Commission for the
Juvenile Justice, State Board of
Nursing, Board of

Nursing and Medicine, Joint Boards of
Protection and Advocacy, Virginia Office for
- Disabilities Advisory Council

April 13

Auctioneers Board
† Conservation and Recreation, Department of
Nursing, Board of

April 14

† Medical Assistance Services, Department of

April 17

Alcoholic Beverage Control Board

April 18

† Arts, Virginia Commission for the
Forestry, Board of
Nursing, Board of

April 19

† Medical Assistance Services, Department of
Mental Health, Mental Retardation and Substance Abuse
Services, Department of

April 20

Design-Build/Construction Management Review Board

April 21

† Arts, Virginia Commission for the
Dentistry, Board of

April 24

Education, Board of
- Advisory Board on Teacher Education and Licensure
Nursing, Board of

April 25

† Arts, Virginia Commission for the
Conservation and Recreation, Department of
- Virginia Scenic River Board
Contractors, Board for
† Marine Resources Commission
Nursing, Board of
Protection and Advocacy, Virginia Office for
- Board for Protection and Advocacy

April 26

Education, Board of

April 27

† Arts, Virginia Commission for the
Education, Board of
Water Control Board, State

April 29

Conservation and Recreation, Department of
- Virginia Cave Board

May 1

Alcoholic Beverage Control Board
† Barbers and Cosmetology, Board for
Branch Pilots, Board for

May 2

† Arts, Virginia Commission for the
Museum of Fine Arts, Virginia
Real Estate Appraiser Board

May 3

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Arts, Virginia Commission for the

May 4

† Arts, Virginia Commission for the

† Professional Soil Scientists and Wetland Professionals,
Board for

May 5

Art and Architectural Review Board
† Arts, Virginia Commission for the

May 9

† Arts, Virginia Commission for the
Chesapeake Bay Local Assistance Board
Child Fatality Review Team, State

May 10

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Arts, Virginia Commission for the
Asbestos, Lead, and Home Inspectors, Virginia Board for

May 11

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Arts, Virginia Commission for the
† Conservation and Recreation, Department of
† Governor's EMS Advisory Board
† Medical Assistance Services, Department of
Real Estate Board

May 12

Dentistry, Board of

May 15

Alcoholic Beverage Control Board
Nursing, Board of
Old Dominion University

May 16

Corrections, Board of
Nursing, Board of
Research and Technology Advisory Commission, Virginia

May 17

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Community Colleges, State Board for
Corrections, Board of
† Education, Board of
† Medical Assistance Services, Department of
Nursing, Board of

May 18

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Community Colleges, State Board for
Conservation and Recreation, Department of
- Virginia Soil and Water Conservation Board
Design-Build/Construction Management Review Board
Nursing, Board of
Protection and Advocacy, Virginia Office for
- PAIMI Advisory Council

May 19

Medicine, Board of

May 23

† Contractors, Board for
† Marine Resources Commission

May 24

† Education, Board of

Calendar of Events

May 25

- † Jamestown-Yorktown Foundation
- † Retirement System, Virginia

May 26

- † Dentistry, Board of
- † Jamestown-Yorktown Foundation

May 31

- † Jamestown-Yorktown Foundation
- † Water Control Board, State

June 1

- † Nursing, Board of

June 2

- † Art and Architectural Review Board

June 5

- † Alcoholic Beverage Control Board
- † Nursing, Board of

June 6

- † Arts, Virginia Commission for the
- † Medicine, Board of
 - Advisory Board on Occupational Therapy
 - Advisory Board on Respiratory Therapy

June 7

- † Arts, Virginia Commission for the
- † Conservation and Recreation, Department of
 - Virginia Land Conservation Foundation

PUBLIC HEARINGS

March 7

- Barbers and Cosmetology, Board for

March 8

- Air Pollution Control Board, State

March 15

- Environmental Quality, Department of

March 16

- Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
- Manufactured Housing Board

March 20

- † Environmental Quality, Department of

March 21

- † Environmental Quality, Department of
- Water Control Board, State

March 23

- Water Control Board, State

March 27

- Water Control Board, State

March 28

- Water Control Board, State

March 30

- Asbestos, Lead and Home Inspectors, Virginia Board for

April 4

- Water Control Board, State

April 7

- Compensation Board

April 10

- † Higher Education for Virginia, State Council of