

OCTOBER 16



Monday, October 16, 2006

9:00 a.m. to 11:00 a.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

Senate

House

Minard, Chairman
Fanning, Vice Chair
Prezioso
Unger
Boley
Minear

Absent
Absent

Mahan, Chairman
Palumbo, Vice Chair
Cann
Pino
Armstead
Overington
Absent

The meeting was called to order by Ms. Mahan, Co-Chairman.

The minutes of the September 13, 2006 meeting was approved.

Mr. Minard moved that the Committee reconsider its action whereby it approved the **Department of Agriculture, West Virginia Plant Pest Act Rule, 61CSR14**, proposed rule as modified. The motion was adopted.

Debra Graham, Chief Counsel, explained the need for proposed modification.

Mr. Fanning moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **WV Fire Commission, State Building Code, 87CSR4**.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **WV Fire Commission, Certification and Evaluation of Local Fire Departments, 87CSR6**, stated that the Commission has agreed to technical modifications and responded to question from the Committee.

Sterling Lewis, State Fire Marshal, responded to questions from the Committee.

Sam Love with the WV State Fireman's Association addressed the Committee.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **WV Hospital Finance Authority, Establishment of Fee Schedule and Cost Allocations Applicable to Issuance of Bonds by the West Virginia Hospital Finance Authority, 116CSR1**, and stated that the Authority has agreed to technical modifications.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Connie Bowling, Associate Counsel, explained her abstract on the rule proposed by the **Division of Highways, Transportation of Hazardous Wastes Upon the Roads and Highways, 157CSR7**.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Ms. Bowling reviewed her abstract on the rule proposed by the **Division of Highways, Waste Tire Remediation/Environmental Clean-Up, 175CSR8**, and responded to questions from the Committee.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Division of Personnel, Workers' Compensation Temporary Total Disability Rule, 143CSR3**, and responded to questions from the Committee.

Tari Crouse with the Division of Personnel responded to questions from the Committee.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Skinner reviewed his abstract on the rule proposed by the **Division of Personnel, Interdepartmental Transfer of Permanent State Employees, 143CSR7**, and stated that the Division has agreed to technical modifications.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **WV Board of Pharmacy, Ephedrine and Pseudoephedrine Control, 15CSR11**.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Skinner reviewed his abstract on the rule proposed by the **Real Estate Commission, Requirements in Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Brokerage Business, 174CSR1**, and responded to questions from the Committee.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Ms. Bowling explained her abstract on the rule proposed by the **Secretary of State, WV Product Lien Central Filing Systems, 153CSR13**.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Ms. Bowling reviewed her abstract on the rule proposed by the **Secretary of State, Uniform Commercial Code, 153CSR35**, and stated that the Agency has agreed to technical modifications.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Bowling explained her abstract on the rule proposed by the **WV State Police, West Virginia DNA Databook, 81CSR9**, and stated that the Agency has agreed to technical modifications.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **State Tax Department, Abusive Tax Shelter, 110CSR10J**, and stated that the Department has agreed to technical modifications.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **WV Board of Veterinary Medicine, Registration of Veterinary Technicians, 26CSR3**, and stated that the Board has agreed to technical modifications.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

The meeting was adjourned.

OCTOBER INTERIM ATTENDANCE
Legislative Interim Meetings
October 15, 16 and 17, 2006

Monday, October 16, 2006

9:00 am - 11:00 am

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Robert S. Kiss, ex
officio nonvoting member

Senate

Minard, Chair
Fanning, Vice Chair
Prezioso
Unger
Boley
Minear

✓

✓

✓

✓

House

Mahan, Chair
Palumbo, Vice Chair
Cann
Pino
Armstead
Overington

✓

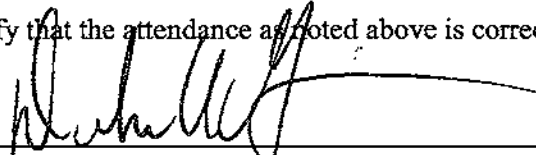
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I certify that the attendance as noted above is correct.



Staff Person

Debra Graham

Please return to Brenda in Room 132-E or Fax to 347-4819 ASAP, due to payroll deadline.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Monday, October 16, 2006
9:00 a.m. and 11:00 a.m.
House Gov. Org. Committee Room

1. **Approval of Minutes** - Meeting of September 13, 2006
2. **Review of Legislative Rules:**
 - a. **Fire Commission, WV State**
State Building Code, 87CSR4
 - b. **Fire Commission, WV State**
Certification and Evaluation of Local Fire Departments, 87CSR6
 - c. **Health Care Authority, WV**
Reportable Diseases, Events and Conditions, 65CSR7
 - d. **Health Care Authority, WV**
Health Services Offered by Health Professionals, 65CSR17
 - e. **Hospital Finance Authority, WV**
Establishment of Fee Schedule and Cost Allocations Applicable to Issuance of Bonds by the West Virginia Hospital Finance Authority, 116CSR1
 - f. **Highways, Division of**
Transportation of Hazardous Wastes Upon the Roads & Highways, 157CSR7
 - g. **Highways, Division of**
Waste Tire Remediation/Environmental Clean-Up, 157CSR8
 - h. **Personnel, Division of**
Workers' Compensation Temporary Total Disability Rule, 143CSR3
 - i. **Personnel, Division of**
Interdepartmental Transfer of Permanent State Employees, 143CSR7
 - j. **Pharmacy, WV Board of**
Ephedrine and Pseudoephedrine Control, 15CSR11
 - k. **Real Estate Commission**
Requirements in Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Brokerage Business, 174CSR1

- l. **Secretary of State**
WV Product Lien Central Filing Systems, 153CSR13
- m. **Secretary of State**
Uniform Commercial Code, 153CSR35
- n. **State Police, WV**
West Virginia DNA Databook, 81CSR9
- o. **Tax Department, State**
Abusive Tax Shelter, 110CSR10J
- p. **Veterinary Medicine, WV Board of**
Registration of Veterinary Technicians, 26CSR3

3. **Other Business**

RECONSIDERATION:

Agriculture, WV Department of
West Virginia Plant Pest Act Rule, 61CSR14

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

Committee: _____ Date 10.16.06

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	Please check (X) if you desire to make a statement.
Richard Strader	Chas.	Real Estate Comm.	
JACOB HAMRICK		Hospital Finance	
SAM LOU		WU Firemen's Assoc.	

OCTOBER INTERIM ATTENDANCE

Legislative Interim Meetings

October 15, 16 & 17, 2006

Monday, October 16, 2006

9:00 a.m. - 11:00 a.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex officio nonvoting member

Robert "Bob" Kiss, ex officio nonvoting member

Senate

House

Minard, Chair	✓
Fanning, Vice Chair	✓
Prezioso	✓
Unger	_____
Boley	_____
Minear	✓

Mahan, Chair	✓
Palumbo, Vice Chair	✓
Cann	_____
Pino	✓
Armstead	✓
Overington	✓

Removed and

Ag - reconsidered

adopted

As mod. Red

minutes approved

Fire Commission - State Building Code

I explained

Approve

Minard
adopted

Fire Commission - local Fire Depts

I explained

Sterling Lewis responded to questions

Approve as mod. adopted

Sam Love
Firemen's
addressed
Committee

HFA

I explained

approved as mod

Highways - Transp Haz

Connie explained

Approved

Highways - Work Tire

Connie explained & responded to questions

Approved

Personnel - Workers Comp

Brian explained & responded to questions

Terry Crouse, DOP responded to "

Approved

Personnel, Interdepartmental Transfer

Brian explained

Approved as mod

Pharmacy

I explained

Approved ~~as modified~~

Real Estate Commission

Brian explained & responded to questions

Approved

SSS - Product Lien

Connie explained

Approved

SOS - UCC

Connie explained

Approved as modified

State Police - DNA

Connie explained

Approve as modified

Tax Dept

I explained

Approve as mod

Vets

I explained

Approved as mod.

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2. Review of Legislative Rules:

Approved a. Fire Commission, WV State
State Building Code, 87CSR4

- Approve

Approved b. Fire Commission, WV State
as modified Certification and Evaluation of Local Fire Departments,
87CSR6

- Approve as Modified

removed c. Health Care Authority, WV
Reportable Diseases, Events and Conditions, 65CSR7

- Approve as Modified

removed d. Health Care Authority, WV
Health Services Offered by Health Professionals, 65CSR17

- Approve as Modified

Approved e. Hospital Finance Authority, WV
as modified Establishment of Fee Schedule and Cost Allocations Applicable
to Issuance of Bonds by the West Virginia Hospital Finance
Authority, 116CSR1

- Approve as Modified

Approved f. Highways, Division of
Transportation of Hazardous Wastes Upon the Roads & Highways,
157CSR7

- Approve

Approved g. Highways, Division of
Waste Tire Remediation/Environmental Clean-Up, 157CSR8

- Approve

Approved ^{h.}

Personnel, Division of
Workers' Compensation Temporary Total Disability Rule,
143CSR3

- Approve

Approved ^{i.}
as modified

Personnel, Division of
Interdepartmental Transfer of Permanent State Employees,
143CSR7

- Approve as Modified

Approved ^{j.}

Pharmacy, WV Board of
Ephedrine and Pseudoephedrine Control, 15CSR11

- Approve

Approved ^{k.}

Real Estate Commission
*Requirements in Licensing Real Estate Brokers, Associate
Brokers and Salespersons and the Conduct of Brokerage
Business,* 174CSR1

- Approve

Approved ^{l.}

Secretary of State
WV Product Lien Central Filing Systems, 153CSR13

- Approve

Approved ^{m.}
as modified

Secretary of State
Uniform Commercial Code, 153CSR35

- Approve as Modified

Approved ^{n.}
as modified

State Police, WV
West Virginia DNA Databook, 81CSR9

- Approved as Modified

Approved ^{o.}
as modified

Tax Department, State
Abusive Tax Shelter, 110CSR10J

- Approve as Modified

Approved ^{p.}
modified

Veterinary Medicine, WV Board of
Registration of Veterinary Technicians, 26CSR3

- Approve as Modified

3. Other Business

RECONSIDERATION:

*Approved ✓
as modified*

Agriculture, WV Department of
West Virginia Plant Pest Act Rule, 61CSR14

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officio nonvoting member

Robert "Bob" Kiss, ex
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Senate

Minard, Chair

Fanning, Vice Chair

Prezioso

Unger

Boley

Minear

✓

✓

✓

✓

House

Mahan, Chair

Palumbo, Vice Chair

Cann

Pino

Armstead

Overington

✓

✓

✓

✓

Mahan called to order

Minutes approved

Reconsider Agriculture 61CSR4

Debra explained
Minard moved to reconsider - Approved

Minard move as modified - Approved

- Fire 87CSR4

Debra

Minard moved

Approved

- Fire 87CSR6

Debra explained & responded to questions
Minard moved

Stirling Lewis, State Fire Marshal, responded to questions

Sam Lowe, WV Foreman Association, Addressed the Comm.

Approved as modified

- Hospital Fin Ath 116CSR1

Debra explained

Minard moved

Approved as modified

- Highways 157CSR7

Connie explained

Minard moved

Approved

- Highways 157CSR8

Connie explained & responded to questions

Minard moved

Approved Repeal of rule

- Personnel 143CSR3

Brian explained & responded to questions

Taei Crouse w/ Div of Personnel responded to questions

Minard moved

Approved

- Personnel 143CSR7

Brian explained

Minard moved

Approved as modified

- Pharmacy 15CSR11
Debra explained
Minard moved
Approved

- Real Estate Comm. 174CSR1
Brian explained & responded to questions
Minard moved
Approved

- Sec. of State 153CSR13
Connie explained
Minard moved
Approved ~~Approved~~

- Sec. of State 153CSR33
Connie explained
Minard moved
Approved as Modified

- State Police 81CSR9
Connie explained
Minard moved
Approved as modified

- TAX Dept. 110CSR10J

Debra explained

Miranda moved

Approved as Modified

- Vet. Med. 26CSR3

Debra explained

Miranda moved

Approved as Modified

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1. **Approval of Minutes** - Meeting of September 13, 2006
2. **Review of Legislative Rules:**
 - a. ✓ **Fire Commission, WV State**
State Building Code, 87CSR4
 - Approve
 - b. ✓ **Fire Commission, WV State**
Certification and Evaluation of Local Fire Departments, 87CSR6
 - Approve as Modified
 - ~~c. **Health Care Authority, WV**
Reportable Diseases, Events and Conditions, 65CSR7
 - Approve as Modified~~
 - ~~d. **Health Care Authority, WV**
Health Services Offered by Health Professionals, 65CSR17
 - Approve as Modified~~
 - e. ✓ **Hospital Finance Authority, WV**
Establishment of Fee Schedule and Cost Allocations Applicable to Issuance of Bonds by the West Virginia Hospital Finance Authority, 116CSR1
 - Approve as Modified
 - f. ✓ **Highways, Division of**
Transportation of Hazardous Wastes Upon the Roads & Highways, 157CSR7
 - Approve
 - g. ✓ **Highways, Division of**
Waste Tire Remediation/Environmental Clean-Up, 157CSR8
 - Approve / Repeat

Removed

- h. ✓ **Personnel, Division of**
Workers' Compensation Temporary Total Disability Rule,
143CSR3
- Approve
- i. ✓ **Personnel, Division of**
Interdepartmental Transfer of Permanent State Employees,
143CSR7
- Approve as Modified
- j. ✓ **Pharmacy, WV Board of**
Ephedrine and Pseudoephedrine Control, 15CSR11
- Approve
- k. ✓ **Real Estate Commission**
Requirements in Licensing Real Estate Brokers, Associate
Brokers and Salespersons and the Conduct of Brokerage
Business, 174CSR1
- Approve
- l. ✓ **Secretary of State**
WV Product Lien Central Filing Systems, 153CSR13
- Approve
- m. ✓ **Secretary of State**
Uniform Commercial Code, 153CSR35
- Approve as Modified
- n. ✓ **State Police, WV**
West Virginia DNA Databook, 81CSR9
- Approved as Modified
- o. ✓ **Tax Department, State**
Abusive Tax Shelter, 110CSR10J
- Approve as Modified
- p. ✓ **Veterinary Medicine, WV Board of**
Registration of Veterinary Technicians, 26CSR3
- Approve as Modified

3. Other Business

RECONSIDERATION:

✓ Agriculture, WV Department of
West Virginia Plant Pest Act Rule, 61CSR14

OCTOBER 17



Tuesday, October 17, 2006

9:00 a.m. to 11:00 a.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

Senate

House

Minard, Chairman
Fanning, Vice Chair Absent
Prezioso
Unger
Boley
Minear

Mahan, Chairman
Palumbo, Vice Chair
Cann
Pino
Armstead Absent
Overington

The meeting was called to order by Mr. Minard, Co-Chairman.

The minutes of the October 16, 2006 meeting were approved.

Debra Graham, Chief Counsel, reviewed her abstract on the rule proposed by the **Division of Motor Vehicles, Policies Pertaining to the Disclosure of Information From the Files of the Division of Motor Vehicles, 91CSR8**, stated that the Division has agreed to technical modifications and responded to question from the Committee.

Jill Dunn, General Counsel to the Division of Motor Vehicles, responded to questions from the Committee.

Mr. Palumbo moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **WV Board of Osteopathy, Osteopathic Physician Assistants, 24CSR2**.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **State Treasurer's Office, 112CSR13**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Diana Stout, General Counsel, with the State Treasurer's Office, responded to questions from the Committee.

Mr. Palumbo moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **Division of Natural Resources, Commercial Whitewater Outfitters, 58CSR12.**

Mr. Palumbo moved that the proposed rule be approved. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **Division of Natural Resources, Special Boating, 58CSR26,** and responded to questions from the Committee.

Mr. Palumbo moved that the proposed rule be approved. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **Division of Natural Resources, Special Motorboating Regulations, 58CSR27,** and responded to questions from the Committee.

Ms. Boley moved that the rule lie over until next months meeting. The Motion was adopted.

Ms. Graham reviewed his abstract on the rule proposed by the **Division of Natural Resources, Wildlife Disease Management, 58CSR69,** and stated that the Division has agreed to technical modifications.

Paul Johansson with the Division of Natural Resources responded to questions from the Committee.

Mr. Unger moved to modify the rule regarding the clarification of feeding.

Mr. Palumbo moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **Division of Natural Resources, Public Use of Campgrounds and Recreation Areas in West Virginia State Wildlife Management Areas Under the Division of Natural Resources, 58CSR70,** and stated that the Division has agreed to technical modifications.

Mr. Palumbo moved that the proposed rule be approved as modified. The motion was adopted.

Rita Pauley, Associate Counsel, reviewed her abstract on the rule proposed by the **WV Division of Corrections, Parole Supervision, 90CSR2.**

Mr. Palumbo moved that the proposed rule be approved. The motion was adopted.

Ms. Pauley explained her abstract on the rule proposed by the **WV Board of Examiners in Counseling, Licensing Rule, 27CSR1**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Jean Ann Johnson, Executive Director, with the WV Board of Examiners in Counseling responded to questions from the Committee.

Mr. Palumbo moves that the proposed rule be approved as modified. The motion was not adopted.

Further discussion.

Mr. Palumbo moved that the Committee reconsider its action whereby it approved the **WV Board of Examiners in Counseling, Licensing Rule, 27CSR1**, proposed rule as modified. The motion was adopted.

Mr. Minard moved that the Board be requested to withdraw the proposed rule.

Further discussion.

Mr. Palumbo moved that the rule lie over until next months meeting. The Motion was adopted.

Ms. Pauley reviewed her abstract on the rule proposed by the **WV Board of Examiners in Counseling, License Renewal and Continuing Education Requirements, 27CSR3**, and responded to questions.

Mr. Palumbo moved that the proposed rule be approved. The motion was adopted.

Ms. Pauley explained her abstract on the rule proposed by the **WV Board of Risk and Insurance Management, Mine Subsidence Insurance, 115CSR1**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Chuck Jones, Executive Director, with the WV Board of Risk and Insurance Management responded to questions from the Committee.

Mr. Palumbo moved that the proposed rule be approved as modified. The motion was adopted.

Joe Altizer, Associate Counsel, reviewed his abstract on the rule proposed by the **Department of Environmental Protection, Voluntary Remediation and Redevelopment Rule, 60CSR3**, stated that the Department has agreed to technical modifications and responded to questions from the Committee.

Mr. Unger moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Altizer explained his abstract on the rule proposed by the **Department of Environmental Protection, Recycling Assistance Grant Program, 33CSR10**, stated that the Department has agreed to technical modifications and responded to questions from the Committee.

Heather Connelly, General Counsel, with the Department of Environmental Protection responded to questions from the Committee.

Gary Rogers with the Department of Environmental Protection responded to questions from the Committee.

Mr. Unger moved that the proposed rule be approved as modified. The motion was adopted.

The meeting was adjourned.

OCTOBER INTERIM ATTENDANCE
Legislative Interim Meetings
October 15, 16 and 17, 2006

Tuesday, October 17, 2006

9:00 am - 11:00 am

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Robert S. Kiss, ex
officio nonvoting member

Senate

Minard, Chair
Fanning, Vice Chair
Prezioso
Unger
Boley
Minear

✓

✓

✓

✓

House

Mahan, Chair
Palumbo, Vice Chair
Cann
Pino
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Overington

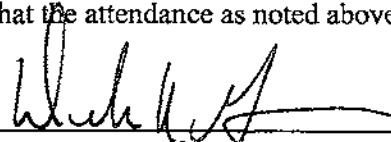
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I certify that the attendance as noted above is correct.



Staff Person

Debra Graham

Please return to Brenda in Room 132-E or Fax to 347-4819 ASAP, due to payroll deadline.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, October 17, 2006
9:00 a.m. and 11:00 a.m.
Senate Finance Committee Room

1. **Review of Legislative Rules:**
 - a. **Motor Vehicles, Division of**
Policies Pertaining to the Disclosure of Information From the Files of the Division of Motor Vehicles, 91CSR8
 - b. **Osteopathy, WV Board of**
Osteopathic Physician Assistants, 24CSR2
 - c. **Treasurer's Office, State**
Providing Services to Political Subdivisions, 112CSR13
 - d. **Natural Resources, Division of**
Commercial Whitewater Outfitters, 58CSR12
 - e. **Natural Resources, Division of**
Special Boating Rules, 58CSR26
 - f. **Natural Resources, Division of**
Special Motorboating Regulations, 58CSR27
 - g. **Natural Resources, Division of**
Deer Hunting Regulations, 58CSR50
 - h. **Natural Resources, Division of**
Wildlife Disease Management, 58CSR69
 - i. **Natural Resources, Division of**
Public Use of Campgrounds and Recreation Areas in West Virginia State Wildlife Management Areas Under the Division of Natural Resources, 58CSR70
 - j. **Corrections, WV Division of**
Parole Supervision, 90CSR2
 - k. **Counseling, WV Board of Examiners in**
Licensing Rule, 27CSR1
 - l. **Counseling, WV Board of Examiners in**
License Renewal and Continuing Education Requirements, 27CSR3
 - m. **Risk and Insurance Management, WV Board of**
Mine Subsidence Insurance, 115CSR1

n. **Environmental Protection, Department of**
*Standards for Beneficial Use of Filtrate from Water Treatment
Plants, 33CSR9*

• Laid Over

o. **Environmental Protection, Department of**
Voluntary Remediation and Redevelopment Rule, 60CSR3

• Laid Over

p. **Environmental Protection, Department of**
Recycling Assistance Grant Program, 33CSR10

2. **Other Business**

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, October 17, 2006
9:00 a.m. and 11:00 a.m.
Senate Finance Committee Room

1. Review of Legislative Rules:

- Approved ✓
as modified* Motor Vehicles, Division of
*Policies Pertaining to the Disclosure of Information From the
Files of the Division of Motor Vehicles, 91CSR8*
- Approve as Modified
- Approved ✓* Osteopathy, WV Board of
Osteopathic Physician Assistants, 24CSR2
- Approve
- Approved ✓
as mod. Recd* Treasurer's Office, State
Providing Services to Political Subdivisions, 112CSR13
- Approve as Modified
- Approved ✓* Natural Resources, Division of
Commercial Whitewater Outfitters, 58CSR12
- Approve
- Approved ✓* Natural Resources, Division of
Special Boating Rules, 58CSR26
- Approve
- Laid over ✓* Natural Resources, Division of
Special Motorboating Regulations, 58CSR27
- Approve
- removed ✓* Natural Resources, Division of
Deer Hunting Regulations, 58CSR50
- Approve as Modified
- Approved ✓
as mod. Recd* Natural Resources, Division of
Wildlife Disease Management, 58CSR69
- Approve as Modified

*Add'l mod to specifically exclude
harrow fields from feeding prohibitions*

Approve
as modified ✓

Natural Resources, Division of
Public Use of Campgrounds and Recreation Areas in West Virginia State Wildlife Management Areas Under the Division of Natural Resources, 58CSR70

- Approve as Modified

Approved ✓

Corrections, WV Division of
Parole Supervision, 90CSR2

- Approve

Laid over
Approved
as modified ✓

Counseling, WV Board of Examiners in
Licensing Rule, 27CSR1

- Approve as Modified

Approved ✓

Counseling, WV Board of Examiners in
License Renewal and Continuing Education Requirements, 27CSR3

- Approve

Approved
as modified m. ✓

Risk and Insurance Management, WV Board of
Mine Subsidence Insurance, 115CSR1

- Approve as Modified

removed ✓

Environmental Protection, Department of
Standards for Beneficial Use of Filtrate from Water Treatment Plants, 33CSR9

- Laid Over
- Approve as Modified

Approved
as modified ✓

Environmental Protection, Department of
Voluntary Remediation and Redevelopment Rule, 60CSR3

- Laid Over
- Approve as Modified

Approved
as modified ✓

Environmental Protection, Department of
Recycling Assistance Grant Program, 33CSR10

- Approve as Modified

3. Other Business

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 officio nonvoting member

Robert "Bob" Kiss, ex
 officio nonvoting member

Senate

House

Minard, Chair	✓
Fanning, Vice Chair	✓
Prezioso	✓
Unger	✓
Boley	✓
Minear	✓

Mahan, Chair	✓
Palumbo, Vice Chair	✓
Cann	✓
Pino	✓
Armstead	✓
Overington	✓

Mr. Minard called meeting to order
 Minutes approved from Oct. 16, 2006

- DMV 91CSR8

Debra explained & responded to questions

Jill Dumm, General Counsel, ^{of DMV} responded to questions

Palumbo moved

Approved as modified

- Osteopathy 24CSR2

Debra explained

Palumbo moved

Approved

- Treasurer's Office 112CSR13

Debra explained & responded to questions

Diana Stort, General Counsel, responded to questions

Palumbo moved

Approved as modified

- DNR 58CSR12

Debra explained

Palumbo moved

Approved

- DNR 58CSR26

Debra explained & responded to questions

Palumbo moved

Approved

- DNR 58CSR27

Debra explained & responded to questions

Boley moved to lay over

motion Approved to lay over

- DNR 58CSR69

Debra explained

Paul Johansen responded to questions

Unque moves to modify ^{clarify} feeding

Palumbo moves

Approved as modified

- DNR 58CSR70

Debra explained

Palumbo

Approved as modified

- Corrections 90CSR 2

Rita explained

Palumbo moved

Approved

- Counseling 27CSR1

Rita explained & responded to questions

Jean Ann Johnson, Ex. Dir., responded to questions

Palumbo moved

~~approved~~ not approved

Will Agency withdraw? (No) ~~at~~ meeting Friday

~~approved~~ ~ remove grandfather ~

move to reconsider action of the Committee

Approved

Palumbo moved to lay over

Approved motion to lay over

- Counseling 27CSR3

Rita explained & responded to questions

Palumbo moved

Approved

- Risk & Ins. Management 115CSR1

Rita explained & responded to questions

Chuck Jones, Ex. Dir., responded to

Palumbo moved

Approved as modified

- DEP - 60 CSR3

Joe explained & responded to questions

Unger moved

Approved as modified

- DEP - 33 CSR10

Joe explained & responded to questions

Heather Connelly, General Counsel, responded to questions

GARY ROGERS, responded to questions

Unger moves

Approved as Modified

Meeting Adjourned

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, October 17, 2006
9:00 a.m. and 11:00 a.m.
Senate Finance Committee Room

1. **Review of Legislative Rules:**

- a. **Motor Vehicles, Division of**
Policies Pertaining to the Disclosure of Information From the Files of the Division of Motor Vehicles, 91CSR8
✓ Approve as Modified
- b. **Osteopathy, WV Board of**
Osteopathic Physician Assistants, 24CSR2
✓ Approve
- c. **Treasurer's Office, State**
Providing Services to Political Subdivisions, 112CSR13
✓ Approve as Modified
- d. **Natural Resources, Division of**
Commercial Whitewater Outfitters, 58CSR12
✓ Approve
- e. **Natural Resources, Division of**
Special Boating Rules, 58CSR26
✓ Approve
- f. **Natural Resources, Division of**
Special Motorboating Regulations, 58CSR27
• *Laid Over*
Approve
- ~~g.~~ **Natural Resources, Division of**
Deer Hunting Regulations, 58CSR50
• *Removed*
Approve as Modified
- h. **Natural Resources, Division of**
Wildlife Disease Management, 58CSR69
✓ Approve as Modified

- i. **Natural Resources, Division of**
Public Use of Campgrounds and Recreation Areas in West Virginia State Wildlife Management Areas Under the Division of Natural Resources, 58CSR70
 - ✓ Approve as Modified

- j. **Corrections, WV Division of**
Parole Supervision, 90CSR2
 - ✓ Approve

- k. **Counseling, WV Board of Examiners in**
Licensing Rule, 27CSR1
 - *Laid Over*
Approve as Modified

- l. **Counseling, WV Board of Examiners in**
License Renewal and Continuing Education Requirements, 27CSR3
 - ✓ Approve

- m. **Risk and Insurance Management, WV Board of**
Mine Subsidence Insurance, 115CSR1
 - ✓ Approve as Modified

- ~~x.~~ **Environmental Protection, Department of**
Standards for Beneficial Use of Filtrate from Water Treatment Plants, 33CSR9
 - *Removed*
Laid Over
 - Approve as Modified

- o. **Environmental Protection, Department of**
Voluntary Remediation and Redevelopment Rule, 60CSR3
 - Laid Over
 - ✓ Approve as Modified

- p. **Environmental Protection, Department of**
Recycling Assistance Grant Program, 33CSR10
 - ✓ Approve as Modified

3. **Other Business**