

September 13, 2011

Tuesday, September 13, 2011

1:00 p.m. to 3:00 p.m.

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

Earl Ray Tomblin
ex officio nonvoting member

Richard Thompson
ex officio nonvoting member

Senate

House

Minard, Chair
Snyder, Vice Chair
Laird, IV
Unger
Boley
Facemyer

Absent
Absent

Brown, Chair
Poling, Vice Chair
Fleischauer
Talbott
Overington
Sobonya

The meeting was called to order by Delegate Brown, Chair.

Senator Minard moved that the minutes of the July 13, 2011, meeting be approved. The motion was adopted.

Charles Roskovensky, Associate Counsel, reviewed his abstract on the rule proposed by the **WV Board of Accountancy, Board Rules and Rules of Professional Conduct, 1CSR1**.

Senator 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 **Department of Administration - Purchasing Division**, Certification for small, women and minority-owned businesses, **148CSR22**, stated that the Department has agreed to technical modifications and responded to questions from the Committee.

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

Debra Graham, Chief Counsel, reviewed her abstract on the rule proposed by the **WV State Auditor's Office, Standards for Requisitions for Payment Issued by State Officers on the Auditor, 155CSR1**, and responded to questions from the Committee.

Mike Sizemore with the Auditor's Office responded to questions from the Committee.

Senator Boley moved that the proposed rule be moved to the foot of the agenda. The motion was adopted.

Miss Graham explained her abstract on the rule proposed by the **WV State Auditor's Office, Transaction Fee and Rate Structure, 155CSR4**, and responded to questions from the Committee.

Mike Sizemore with the Auditor's Office responded to questions from the Committee.

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

Mr. Skinner reviewed his abstract on the rule proposed by the **WV Division of Banking, Rule Pertaining to Residential Mortgage Lenders, Brokers and Loan Originators, 106CSR5**, responded to questions from the Committee.

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

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Board of Barbers and Cosmetologists, Procedures, Criteria and Curricula for Examinations and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians, 3CSR1**, and responded to questions from the Committee.

Adam Higgenbotham with the Board responded to questions from the Committee.

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

Mr. Roskovensky reviewed his abstract on the rule proposed by the **WV Board of Barbers and Cosmetologists, Rules and Regulations for Licensing Schools of Barbering and Beauty Culture, 3CSR3**, stated that the Board has agreed to technical modifications.

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

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Board of Barbers and Cosmetologists, Shampoo Assistants, 3CSR8**, and responded to questions from the Committee.

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

Miss Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, Public Employee Retirement System, 162CSR5**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

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

Miss Graham explained her abstract on the rule proposed by the **Consolidated Public Retirement Board, Refund, Reinstatement, Retroactive Service, Loan and Employee Error Interest Factors, 162CSR7.**

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

Miss Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, West Virginia State Police, 162CSR9,** and responded to questions from the Committee.

Theresa Miller, Acting Director of the Board, responded to questions from the Committee.

Elaine Harris with the WV Trooper Association responded to questions from the Committee.

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

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Board of Dental Examiners, Fees Established by the Board, 5CSR3,** stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Dr. Buck Conner, President of the Board, responded to questions from the Committee.

Senator Boley moved that the proposed rule be laid over. The motion was adopted.

Mr. Skinner reviewed his abstract on the rule proposed by the **WV Division of Forestry, Sediment Control During Commercial Timber-Harvesting Operations - Licensing , 22CSR2,** and responded to questions from the Committee.

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

Mr. Skinner explained his abstract on the rule proposed by the **WV Division of Forestry, Sediment Control During Commercial Timber-Harvesting Operations - Logger Certification, 22CSR3.**

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

Miss Graham reviewed her abstract on the rule proposed by the **Division of Natural Resources, Special Boating Rules, 58CSR26,** and stated that the Division has agreed to technical modifications.

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

Miss Graham explained her abstract on the rule proposed by the **Division of Natural Resources, Special Motorboat Regulations, 58CSR27**, stated that the Division has agreed to technical modifications and responded to questions from the Committee.

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

Miss Graham reviewed her abstract on the rule proposed by the **Division of Natural Resources, Hunting, Trapping and Fishing Provisions, 58CSR45A**.

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

Miss Graham explained her abstract on the rule proposed by the **Division of Natural Resources, Terms Defining the Terms to be Used Concerning All Hunting and Trapping Rules, 58CSR46**, stated that the Division has agreed to technical modifications and responded to questions from the Committee.

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

Miss Graham reviewed her abstract on the rule proposed by the **Division of Natural Resources, Prohibitions when Hunting and Trapping, 58CSR47**, stated that the Division has agreed to technical modifications and responded to questions from the Committee.

Chris Ryan with the Division responded to questions from the Committee.

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

Miss Graham explained her abstract on the rule proposed by the **Division of Natural Resources, General Trapping Rule, 58CSR53**, and stated that the Division has agreed to technical modifications.

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

Miss Graham reviewed her abstract on the rule proposed by the **Division of Natural Resources, Special Fishing Rule, 58CSR61**, and stated that the Division has agreed to technical modifications.

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

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Massage Therapy Licensure Board, General Provisions, 194CSR1**.

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

Mr. Roskovensky reviewed his abstract on the rule proposed by the **WV Massage Therapy Licensure Board, Schedule of Fees, 194CSR4**, responded to questions from the Committee and handed out a copy of the Board's budget.

Linda Lyter with the Board responded to questions from the Committee.

Senator Minard moved that the proposed rule be laid over. The motion was adopted.

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Board of Medicine, Formation and Approval of Professional Limited Liability Companies, 11CSR7**.

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

Mr. Roskovensky reviewed his abstract on the rule proposed by the **WV Board of Occupational Therapy, Fees for Services Rendered by the Board, 13CSR3**.

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

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Board of Osteopathy, Licensing Procedures for Osteopathic Physicians, 24CSR1**, and responded to questions from the Committee.

Diana Shepard with the Board responded to questions from the Committee.

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

Miss Graham reviewed her abstract on the rule proposed by the **State Tax Department, Commercial Patent Incentives Tax Credit, 110CSR13Q**, and stated that the Department has agreed to technical modifications.

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

Miss Graham explained her abstract on the rule proposed by the **State Tax Department, Exchange of Information Agreement Between the State Tax Department and the Department of Commerce, the Department of Transportation and the Department of Environmental Protection, 110CSR50G**, stated that the Department has agreed to technical modifications and responded to questions from the Committee.

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

Miss Graham reviewed her abstract on the rule proposed by the **WV State Auditor's Office, Standards for Requisitions for Payment Issued by State Officers on the Auditor, 155CSR1.**

Mike Sizemore with the Auditor's Office responded to questions from the Committee.

Senator Boley moved that the proposed rule be laid over. The motion was adopted.

Senator Minard moved to direct staff to complete their abstracts to ensure completion of the Committee work by the December Interims. The motion was adopted.

Senator Minard moved to adjourn the meeting. The motion was adopted.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, September 13, 2011
1:00 p.m. to 3:00 p.m.
Senate Judiciary Committee Room

1. **Approval of Minutes - Meetings of July 13, 2011**
2. **Review of Legislative Rules:**
 - a. **Accountancy, WV Board of**
Board Rules and Rules of Professional Conduct
1CSR1
 - b. **Administration, Department of - Purchasing Division**
Certification for small, women and minority-owned businesses
148CSR22
 - c. **Auditor's Office, WV State**
Standards for Requisitions for Payment Issued by State Officers on the Auditor
155CSR1
 - d. **Auditor's Office, WV State**
Transaction Fee and Rate Structure
155CSR4
 - e. **Banking, WV Division of**
Rule Pertaining to Residential Mortgage Lenders, Brokers and Loan Originators
106CSR5
 - f. **Barbers and Cosmetologists, WV Board of**
Procedures, Criteria and Curricula for Examinations and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians
3CSR1
 - g. **Barbers and Cosmetologists, WV Board of**
Rules and Regulations for Licensing Schools of Barbering and Beauty Culture
3CSR3
 - h. **Barbers and Cosmetologists, WV Board of**
Shampoo Assistants
3CSR8
 - i. **Consolidated Public Retirement Board**
Public Employee Retirement System
162CSR5

- j. **Consolidated Public Retirement Board**
Refund, Reinstatement, Retroactive Service, Loan and Employee Error Interest Factors
162CSR7
- k. **Consolidated Public Retirement Board**
West Virginia State Police
162CSR9
- l. **Dental Examiners, WV Board of**
Fees Established by the Board
5CSR3
- m. **Forestry, WV Division of**
Sediment Control During Commercial Timber-Harvesting Operations - Licensing
22CSR2
- n. **Forestry, WV Division of**
Sediment Control During Commercial Timber-Harvesting Operations - Logger Certification
22CSR3
- o. **Natural Resources, Division of**
Special Boating Rules
58CSR26
- p. **Natural Resources, Division of**
Special Motorboat Regulations
58CSR27
- q. **Natural Resources, Division of**
Hunting, Trapping and Fishing Provisions
58CSR45A
- r. **Natural Resources, Division of**
Terms Defining the Terms to be Used Concerning All Hunting and Trapping Rules
58CSR46
- s. **Natural Resources, Division of**
Prohibitions when Hunting and Trapping
58CSR47
- t. **Natural Resources, Division of**
General Trapping Rule
58CSR53
- u. **Natural Resources, Division of**
Special Fishing Rule
58CSR61

- v. **Massage Therapy Licensure Board, WV**
General Provisions
194CSR1
- w. **Massage Therapy Licensure Board, WV**
Schedule of Fees
194CSR4
- x. **Medicine, WV Board of**
Formation and Approval of Professional Limited Liability
Companies
11CSR7
- y. **Occupational Therapy, WV Board of**
Fees for Services Rendered by the Board
13CSR3
- z. **Osteopathy, WV Board of**
Licensing Procedures for Osteopathic Physicians
24CSR1
- aa. **Tax Department, State**
Commercial Patent Incentives Tax Credit
110CSR13Q
- bb. **Tax Department, State**
Exchange of Information Agreement Between the State Tax
Department and the Department of Commerce, the Department
of Transportation and the Department of Environmental
Protection
110CSR50G

3. **Other Business**

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Tuesday, September 13, 2011
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2. **Review of Legislative Rules:**
 - a. **Accountancy, WV Board of**
Board Rules and Rules of Professional Conduct
1CSR1
 - Approve
 - b. **Administration, Department of - Purchasing Division**
Certification for small, women and minority-owned businesses
148CSR22
 - Approve as Modified
 - c. **Auditor's Office, WV State**
Standards for Requisitions for Payment Issued by State Officers on the Auditor
155CSR1
 - Approve
 - d. **Auditor's Office, WV State**
Transaction Fee and Rate Structure
155CSR4
 - Approve
 - e. **Banking, WV Division of**
Rule Pertaining to Residential Mortgage Lenders, Brokers and Loan Originators
106CSR5
 - Approve
 - f. **Barbers and Cosmetologists, WV Board of**
Procedures, Criteria and Curricula for Examinations and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians
3CSR1
 - Approve

- g. **Barbers and Cosmetologists, WV Board of**
*Rules and Regulations for Licensing Schools of Barbering and
Beauty Culture*
3CSR3
- Approve as Modified
- h. **Barbers and Cosmetologists, WV Board of**
Shampoo Assistants
3CSR8
- Approve
- i. **Consolidated Public Retirement Board**
Public Employee Retirement System
162CSR5
- Approve as Modified
- j. **Consolidated Public Retirement Board**
*Refund, Reinstatement, Retroactive Service, Loan and Employee
Error Interest Factors*
162CSR7
- Approve
- k. **Consolidated Public Retirement Board**
West Virginia State Police
162CSR9
- Approve
- l. **Dental Examiners, WV Board of**
Fees Established by the Board
5CSR3
- Approve as Modified
- m. **Forestry, WV Division of**
*Sediment Control During Commercial Timber-Harvesting
Operations - Licensing*
22CSR2
- Approve
- n. **Forestry, WV Division of**
*Sediment Control During Commercial Timber-Harvesting
Operations - Logger Certification*
22CSR3
- Approve

- o. **Natural Resources, Division of**
Special Boating Rules
58CSR26
 - Approve as Modified
- p. **Natural Resources, Division of**
Special Motorboat Regulations
58CSR27
 - Approve as Modified
- q. **Natural Resources, Division of**
Hunting, Trapping and Fishing Provisions
58CSR45A
 - Approve
- r. **Natural Resources, Division of**
Terms Defining the Terms to be Used Concerning All Hunting and Trapping Rules
58CSR46
 - Approve as Modified
- s. **Natural Resources, Division of**
Prohibitions when Hunting and Trapping
58CSR47
 - Approve as Modified
- t. **Natural Resources, Division of**
General Trapping Rule
58CSR53
 - Approve as Modified
- u. **Natural Resources, Division of**
Special Fishing Rule
58CSR61
 - Approve as Modified
- v. **Massage Therapy Licensure Board, WV**
General Provisions
194CSR1
 - Approve
- w. **Massage Therapy Licensure Board, WV**
Schedule of Fees
194CSR4
 - Approve

x. **Medicine, WV Board of**
*Formation and Approval of Professional Limited Liability
Companies*
11CSR7

- Approve

y. **Occupational Therapy, WV Board of**
Fees for Services Rendered by the Board
13CSR3

- Approve

z. **Osteopathy, WV Board of**
Licensing Procedures for Osteopathic Physicians
24CSR1

- Approve

aa. **Tax Department, State**
Commercial Patent Incentives Tax Credit
110CSR13Q

- Approve as Modified

bb. **Tax Department, State**
*Exchange of Information Agreement Between the State Tax
Department and the Department of Commerce, the Department
of Transportation and the Department of Environmental
Protection*
110CSR50G

- Approve as Modified

3. **Other Business**

SEPTEMBER INTERIM ATTENDANCE
Legislative Interim Meetings
September 12, 13 and 14, 2011

Tuesday, September 13, 2011

1:00 pm - 3:00 pm

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Thompson, ex
officio nonvoting member

Senate

Minard, Chair
Snyder, Vice Chair
Laird
Unger
Boley
Facemyer

✓
✓
✓

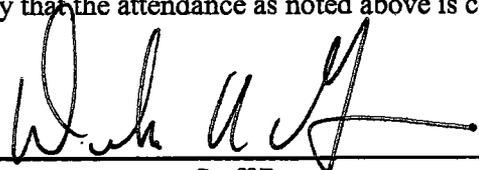
✓

House

Brown, Chair
Poling, D., Vice Chair
Fleischauer
Talbot
Overington
Sobonya

✓
✓
✓
✓
✓
✓

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, September 13, 2011
1:00 p.m. to 3:00 p.m.
Senate Judiciary Committee Room

1. **Approval of Minutes - Meetings of July 13, 2011**
2. **Review of Legislative Rules:**
 - a. ✓ **Accountancy, WV Board of**
Board Rules and Rules of Professional Conduct
1CSR1
 - Approve
 - b. ✓ **Administration, Department of - Purchasing Division**
Certification for small, women and minority-owned businesses
148CSR22
 - Approve as Modified
 - c. ✓ **Auditor's Office, WV State**
Standards for Requisitions for Payment Issued by State Officers on the Auditor
155CSR1
moved to foot of Agenda
 - Approve *Lay Over*
 - d. ✓ **Auditor's Office, WV State**
Transaction Fee and Rate Structure
155CSR4
 - Approve
 - e. ✓ **Banking, WV Division of**
Rule Pertaining to Residential Mortgage Lenders, Brokers and Loan Originators
106CSR5
 - Approve
 - f. ✓ **Barbers and Cosmetologists, WV Board of**
Procedures, Criteria and Curricula for Examinations and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians
3CSR1
 - Approve

g ✓ **Barbers and Cosmetologists, WV Board of**
Rules and Regulations for Licensing Schools of Barbering and
Beauty Culture
3CSR3

- Approve as Modified

h ✓ **Barbers and Cosmetologists, WV Board of**
Shampoo Assistants
3CSR8

- Approve

i ✓ **Consolidated Public Retirement Board**
Public Employee Retirement System
162CSR5

- Approve as Modified

j ✓ **Consolidated Public Retirement Board**
Refund, Reinstatement, Retroactive Service, Loan and Employee
Error Interest Factors
162CSR7

- Approve

k ✓ **Consolidated Public Retirement Board**
West Virginia State Police
162CSR9

- Approve

l ✓ **Dental Examiners, WV Board of**
Fees Established by the Board
5CSR3

- Lay Over*
- Approve as Modified

m ✓ **Forestry, WV Division of**
Sediment Control During Commercial Timber-Harvesting
Operations - Licensing
22CSR2

- Approve

n ✓ **Forestry, WV Division of**
Sediment Control During Commercial Timber-Harvesting
Operations - Logger Certification
22CSR3

- Approve

- o ✓ **Natural Resources, Division of**
Special Boating Rules
58CSR26
 - Approve as Modified
- p ✓ **Natural Resources, Division of**
Special Motorboat Regulations
58CSR27
 - Approve as Modified
- q ✓ **Natural Resources, Division of**
Hunting, Trapping and Fishing Provisions
58CSR45A
 - Approve
- r ✓ **Natural Resources, Division of**
Terms Defining the Terms to be Used Concerning All Hunting and Trapping Rules
58CSR46
 - Approve as Modified
- s ✓ **Natural Resources, Division of**
Prohibitions when Hunting and Trapping
58CSR47
 - Approve as Modified
- t ✓ **Natural Resources, Division of**
General Trapping Rule
58CSR53
 - Approve as Modified
- u ✓ **Natural Resources, Division of**
Special Fishing Rule
58CSR61
 - Approve as Modified
- v ✓ **Massage Therapy Licensure Board, WV**
General Provisions
194CSR1
 - Approve
- w ✓ **Massage Therapy Licensure Board, WV**
Schedule of Fees
194CSR4
Ray Ober
 - Approve

x✓ **Medicine, WV Board of**
*Formation and Approval of Professional Limited Liability
Companies*
11CSR7

- Approve

y✓ **Occupational Therapy, WV Board of**
Fees for Services Rendered by the Board
13CSR3

- Approve

z✓ **Osteopathy, WV Board of**
Licensing Procedures for Osteopathic Physicians
24CSR1

- Approve

aa✓ **Tax Department, State**
Commercial Patent Incentives Tax Credit
110CSR13Q

- Approve as Modified

bb✓ **Tax Department, State**
*Exchange of Information Agreement Between the State Tax
Department and the Department of Commerce, the Department
of Transportation and the Department of Environmental
Protection*
110CSR50G

- Approve as Modified

3. Other Business

SEPTEMBER INTERIM ATTENDANCE

Legislative Interim Meetings

September 12, 13 & 14 2011

Tuesday, September 13, 2011

1:00p.m. - 3:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex officio nonvoting member

Richard Thompson, ex officio nonvoting member

Senate

House

Minard, Chair ✓
Snyder, Vice Chair ✓
Laird IV ✓
Unger
Boley ✓
Facemyer

Brown, Chair ✓
Poling, Vice Chair ✓
Fleischauer ✓
Talbot ✓
Overington ✓
Sobonya ✓

✓ Brown called the meeting to order.

✓ Minard moved minutes. Minutes were approved.

Accountancy
1CSR1

Charlie explained

✓ Minard moved

✓ Approved

✓ Approve

Administration, Department of - Purchasing Division
148CSR22

✓ Brian explained & responded to ?'s

✓ Minard moved as modified

✓ Approved

✓ Approve as Modified

Auditor's Office, WV State
155CSR1

Debra explained & responded to ?'s

✓ Mike Seymour w/ Auditor responded to ?'s

✓ Minard moved rule - Withdrew motion

✓ Boley moved to place at foot of agenda

Approve

~. Auditor's Office, WV State

155CSR4

✓ Debra explained & responded to ?'s

✓ Mike Sizemore w/ Auditor's Office responded to ?'s

✓ Minard moved rule

✓ Approve

~. Banking, WV Division of

106CSR5

✓ Brian explained & responded to ?'s

✓ Minard moved rule

✓ Approve

~. Barbers and Cosmetologists, WV Board of
3CSR1

✓ Charlie explained & responded to ?'s

✓ Adam Higgenbotham responded to ?'s

✓ Minard moved rule

✓ Approve

~. Barbers and Cosmetologists, WV Board of
3CSR3

Charlie explained

✓ Minard moved rule

✓ Approve as Modified

~. Barbers and Cosmetologists, WV Board of
3CSR8

✓ Charlie explained & responded to ?'s

✓ Minard moved rule

✓ Approve

~. Consolidated Public Retirement Board

162CSR5

✓ Debra explained & responded to ?'s

✓ Minard moved rule

✓ Approve as Modified

- ~. Consolidated Public Retirement Board
162CSR7
✓ Debra explained

Minard moved rule

✓ Approve

- ~. Consolidated Public Retirement Board
162CSR9

✓ Debra explained & responded to ?'s
✓ Theresa Millan, Acting Dir w/ Bd. responded to ?'s
✓ Elaine Hassis, WV Troopers Assoc responded to ?'s
✓ Minard moved rule

✓ Approve

- ~. Dental Examiners, WV Board of
5CSR3

✓ Charlie explained & responded to ?'s — *handout of budget*
✓ Dr. Buck Conner, President, responded to ?'s

✓ Body moved to lay over

Approve as Modified

- ~. Forestry, WV Division of
22CSR2

✓ Brian explained & responded to ?'s

Minard moved rule

✓ Approve

- ~. Forestry, WV Division of
22CSR3

✓ Brian explained

Minard moved rule

✓ Approve

- ~. Natural Resources, Division of
58CSR26

✓ Debra explained ~~responded to ?'s~~

Minard moved rule

✓ Approve as Modified

~. Natural Resources, Division of
58CSR27

✓ Debra explained & responded to ?'s

Minard moved rule

✓ Approve as Modified

~. Natural Resources, Division of
58CSR45A

✓ Debra explained

Minard moved rule

✓ Approve

~. Natural Resources, Division of
58CSR46

✓ Debra explained & responded to ?'s

Minard moved rule

✓ Approve as Modified

~. Natural Resources, Division of
58CSR47

✓ Debra explained & responded to ?'s
✓ Chris Ryans w/ Dir. responded to ?'s

Minard moved rule

✓ Approve as Modified

~. Natural Resources, Division of
58CSR53

✓ Debra explained

Minard moved rule

✓ Approve as Modified

~. Natural Resources, Division of
58CSR61

✓ Debra explained

Minard moved rule

✓ Approve as Modified

- ~. Massage Therapy Licensure Board, WV
194CSR1
✓Charlie explained

Minard moved rule

✓Approve

- ~. Massage Therapy Licensure Board, WV
194CSR4
✓Charlie explained & responded to ?
✓handout of budget

✓Kinde Lyter w/B. responded to ?
✓Minard moved to lay over
~~Approve~~

- ~. Medicine, WV Board of
11CSR7
✓Charlie explained

Minard moved rule

✓Approve

- ~. Occupational Therapy, WV Board of
13CSR3
✓Charlie explained

Minard moved rule

✓Approve

- ~. Osteopathy, WV Board of
24CSR1
✓Charlie explained & responded to ?
✓Diana Shepard responded to ?

✓Minard moved rule

✓Approve

- ~. Tax Department, State
110CSR13Q
✓Debra explained

Minard moved rule

✓Approve as Modified

~. Tax Department, State
110CSR50G

✓ Debra explained? responded to? is

✓ Minard moved rule

✓ Approve as Modified

* Auditor

155CSR1

✓ Mike Sizemore responded to? is

● Boley moved to lay over

✓ Approved

✓ Minard ↓ moved
Direct staff to complete work by December

✓ Minard moved to adjourn

1

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Board Rules and Rules of Professional Conduct
1CSR1

- Approve

Approved *et.*
as modified **Administration, Department of - Purchasing Division**
Certification for small, women and minority-owned businesses
148CSR22

- Approve as Modified

Foot of agenda *et.* **Auditor's Office, WV State**
Standards for Requisitions for Payment Issued by State
Officers on the Auditor
155CSR1

- Approve

Approved *et.*
as modified **Auditor's Office, WV State**
Transaction Fee and Rate Structure
155CSR4

- Approve

Approved *et.* **Banking, WV Division of**
Rule Pertaining to Residential Mortgage Lenders, Brokers and
Loan Originators
106CSR5

- Approve

Approved *et.* **Barbers and Cosmetologists, WV Board of**
Procedures, Criteria and Curricula for Examinations and
Licensure of Barbers, Cosmetologists, Manicurists and
Aestheticians
3CSR1

- Approve

18.
Approved
as modified

Barbers and Cosmetologists, WV Board of
Rules and Regulations for Licensing Schools of Barbering and
Beauty Culture
3CSR3

- Approve as Modified

Approved

Barbers and Cosmetologists, WV Board of
Shampoo Assistants
3CSR8

- Approve

Approved
as modified

Consolidated Public Retirement Board
Public Employee Retirement System
162CSR5

- Approve as Modified

Approved

Consolidated Public Retirement Board
Refund, Reinstatement, Retroactive Service, Loan and Employee
Error Interest Factors
162CSR7

- Approve

Approved

Consolidated Public Retirement Board
West Virginia State Police
162CSR9

- Approve

Laid over
til next
meeting

Dental Examiners, WV Board of
Fees Established by the Board
5CSR3

- Approve as Modified

Approved

Forestry, WV Division of
Sediment Control During Commercial Timber-Harvesting
Operations - Licensing
22CSR2

- Approve

Approved

Forestry, WV Division of
Sediment Control During Commercial Timber-Harvesting
Operations - Logger Certification
22CSR3

- Approve

Approved
as modified

Natural Resources, Division of
Special Boating Rules
58CSR26

- Approve as Modified

Approved
as modified

Natural Resources, Division of
Special Motorboat Regulations
58CSR27

- Approve as Modified

Approved

Natural Resources, Division of
Hunting, Trapping and Fishing Provisions
58CSR45A

- Approve

Approved
as modified

Natural Resources, Division of
Terms Defining the Terms to be Used Concerning All Hunting and Trapping Rules
58CSR46

- Approve as Modified

Approved
as modified

Natural Resources, Division of
Prohibitions when Hunting and Trapping
58CSR47

- Approve as Modified

Approved
as modified

Natural Resources, Division of
General Trapping Rule
58CSR53

- Approve as Modified

Approved
as modified

Natural Resources, Division of
Special Fishing Rule
58CSR61

- Approve as Modified

Approved

Massage Therapy Licensure Board, WV
General Provisions
194CSR1

- Approve

Ad
over

WV

Massage Therapy Licensure Board, WV
Schedule of Fees
194CSR4

- Approve

Approved ^{ix.}

Medicine, WV Board of
*Formation and Approval of Professional Limited Liability
Companies*
11CSR7

- Approve

Approved ^{x.}

Occupational Therapy, WV Board of
Fees for Services Rendered by the Board
13CSR3

- Approve

Approved ^{xi.}

Osteopathy, WV Board of
Licensing Procedures for Osteopathic Physicians
24CSR1

- Approve

Approved ^{aa.}
as modified

Tax Department, State
Commercial Patent Incentives Tax Credit
110CSR13Q

- Approve as Modified

Approved ^{bb.}
as modified

Tax Department, State
*Exchange of Information Agreement Between the State Tax
Department and the Department of Commerce, the Department
of Transportation and the Department of Environmental
Protection*
110CSR50G

- Approve as Modified

3. Other Business

SEPTEMBER INTERIM ATTENDANCE

Legislative Interim Meetings

September 12, 13 & 14, 2011

Tuesday, September 13, 2011

1:00 p.m. - 3:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Richard Thompson, ex
officio nonvoting member

Senate

House

Minard, Chair
Snyder, Vice Chair
Laird IV
Unger
Boley
Facemyer

Brown, Chair
Poling, Vice Chair
Fleischauer
Talbot
Overington
Sobonya

Accountancy

~~Charlie~~ explained

Minard

Approve

Administration

~~Charlie~~ Brian explained - responded to questions

Agency agreed to tech mod.

Minard

Approve as mod

Auditor - Stands for Requisitions

I explained

?, Auditor's off responded to questions

Auditor - Transaction Fee

I explained, F ans'd q.

Mike Sizemore responded to q.

Minard Approve as modified

Banking

Minard Brian explained & responded to questions
Approve

Barbers & Cosmetologists 3 CSR 1

Charlie explained
Adam
? responded to questions

Minard Approve

Barbers & Cos. 3 CSR 3

Minard Charlie explained
Approve as modified

Barbers & Cos. 3 CSR 8

Minard Charlie explained - ans'd questions
Approve

CRRB 162 CSR 5

CRRB

CRRB 162 CSR 9

I explained
Teresa
Elaine Harris } responded to questions

Minard Approve

Dental Examiners

Charlie explained; Bd agreed to tech mods; responded to questions

Dr. Buck Connard (?) ^{Acting president} responded to questions.

Boley Lay over til next meeting

Forestry 22CSR2

Brian explained & responded to questions

Minard Approve

Forestry 22CSR3

Brian explained

Minard Approve

Massage Therapy 194CSR1

Minard Approve

Massage Therapy 194CSR4

Minard Lay over

Medicine

Minard Approved

Occ. Therapy

Minard Approve

●
Minard

Osteopathy

Diana Shepherd, Exce Dir.

REGISTRATION OF PUBLIC
AT COMMITTEE MEETINGS

WEST VIRGINIA LEGISLATURE

Committee: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Date: Sept. 13, 2011

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	RULE NUMBER	Please mark with an (X) if you desire to make a statement.
BOB LAMONT	ONE PLAYERS CLUB DR SUITE 300 CHAR. WV	WV. DIV OF BANKING	106/5	
Robert Knittle	101 Reed Drive Suite 103 Chas WV 25311	WV Bd of Med	11CSR9	
Darlene Ratliff - Thomas	Capitol Complex Rm 24-E Chas.	WV Bd of Dental Exam.	5/3	
Diana Shepard Executive Director	WV Board 405 Capitol St., suite 402 Chas.	WV Board of Osteopathy	24CSR1	