

Wednesday, December 12, 2012

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, Chairman Absent
Snyder, Vice Chair
Laird Absent
Unger Absent
Boley
Facemyer Absent

Poore, Chairman
Poling, Vice Chair Absent
Fleischauer
Talbott
Overington
Sobonya

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

Debra Graham, Chief Counsel, reviewed her abstract on the rule proposed by the **Bureau for Public Health, Reportable Diseases, Events and Conditions, 64CSR7**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Loretta Haddy with the Bureau responded to questions from the Committee.

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

Miss Graham explained her abstract on the rule proposed by the **Bureau for Public Health, Fees for Service, 64CSR51**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Ann Goldberg, Counsel for the Bureau, responded to questions from the Committee.

Delegate Fleischauer moved that the proposed rule be approved as modified.

Senator Snyder removed himself from voting due to conflict.

The motion was adopted.

Miss Graham reviewed her abstract on the rule proposed by the **Bureau for Public Health, Pulse Oximetry Newborn Testing, 64CSR100**, and stated that the Agency has agreed to technical modifications.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **WV State Fire Commission, State Building Code, 87CSR4**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Stacy Newicki, Counsel for the Commission, responded to questions from the Committee.

J.D Stricklen, homebuilder, addressed the Committee and responded to questions.

Chris Ilardi with the Homebuilders Association of West Virginia addressed the Committee and responded to questions.

Charles Roskovensky with the Energy Efficiency Program addressed the Committee and responded to questions.

Delegate Fleischauer moved that the proposed rule be approved as modified.

Discussion.

Delegate Fleischauer withdrew her motion that the proposed rule be approved as modified.

Jack Heirolt, Director for the WV Division of Energy, addressed the Committee and responded to questions.

Delegate Fleischauer moved that the proposed rule be approved as modified.

Delegate Overington questioned a quorum. A quorum is present.

The motion was adopted.

Delegate Poore moved the proposed rule by the **WV State Fire Commission, Volunteer Firefighters' Training, Equipment and Operating Standards, 87CSR8**, to the foot of the agenda.

Kevin Baker, Associate Counsel, reviewed his abstract on the rule proposed by the **Lottery Commission, State Lottery Rules, 179CSR1**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

John Musgrave, Director of the Commission, responded to questions from the Committee.

Senator Snyder moved that the proposed rule be approved as modified.

Senator Snyder explained the agreed to modification.

Nikki Orchid with the Commission responded to questions from the Committee.

Senator Snyder moved the agreed to modifications. The motion was adopted.

Delegate Fleischauer 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 Human Services, Day Care Centers Licensing, 78CSR1**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Senator Snyder 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 Labor, Bedding and Upholstered Furniture, 42CSR12**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

John Junkins, Deputy Commissioner, responded to questions from the Committee.

Delegate Fleischauer 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 Labor, Amusement Rides and Attractions Safety Act, 42CSR17**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

John Junkins, Deputy Commissioner, responded to questions from the Committee.

Delegate Fleischauer moved that the proposed rule be approved as modified. The motion was adopted.

Miss Graham explained that the proposed rule by the **Division of Labor, Elevator Safety Act, 42CSR21**, is to be withdrawn by the Division.

Miss Graham explained her abstract on the rule proposed by the **Division of Labor, Supervision of Elevator Mechanics and Apprentices, 42CSR21A**, and stated that the Agency has agreed to technical modifications.

Liz Farber, Assistant Attorney General and Counsel for the Division, responded to questions from the Committee.

Delegate Fleischauer 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 Labor, Crane Operator Certification Act, 42CSR24**, and stated that the Agency has agreed to technical modifications.

Delegate Fleischauer 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 Labor, Crane Operator Certification Act - Practical Examination, 42CSR25.**

Delegate Fleischauer moved that the proposed rule be approved. The motion was adopted.

Mr. Skinner explained his abstract on the rule proposed by the **WV State Fire Commission, Volunteer Firefighters' Training, Equipment and Operating Standards, 87CSR8,** and stated that the Agency has agreed to technical modifications.

Stacy Newicki, Counsel for the Commission, responded to questions from the Committee.

Delegate Talbott moved that the proposed rule be approved as modified. The motion was adopted.

Delegate Fleischauer moved to adjourn the meeting. The motion was adopted.