

Monday, November 26, 2012

3:00 p.m. to 5:00 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
Snyder, Vice Chair
Laird
Unger Absent
Boley
Facemyer Absent

Brown, Chairman
Poling, Vice Chair
Fleischauer
Talbott
Overington
Sobonya

The meeting was called to order by Senator Minard, Chair.

Senator Minard moved that the minutes of the October 9, 2012, meeting be approved. The motion was adopted.

Debra Graham, Chief Counsel, reviewed her abstract on the rule proposed by the **State Tax Department, Valuation of Commercial and Industrial Real and Personal Property for Ad Valorem Property Tax Purposes, 110CSR1P**, and stated that the Agency has agreed to technical modifications.

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

Miss Graham explained her abstract on the rule proposed by the **WV Department of Agriculture, Animal Disease Control, 61CSR1**.

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

Miss Graham reviewed her abstract on the rule proposed by the **WV Department of Agriculture, Poultry Litter and Manure Movement into Primary Poultry Breeder Rearing Areas, 61CSR28**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Dr. Jewel Plumley, State Veterinarian, responded to questions from the Committee.

Bob Tabb, Deputy Commissioner with the Department, addressed the Committee and responded to questions.

Senator Boley moved to lay over the proposed rule until Wednesday, November 28, 2012. The motion was adopted.

The proposed rule by the **Department of Administration - Design Build Board, Rules for Selecting Design-Builds Under the Design-Build Procurement Act, 148CSR11**, was laid over until the December Interims.

Mr. Skinner reviewed his abstract on the rule proposed by the **Governor's Committee on Crime, Delinquency and Corrections, Law Enforcement Training and Certification Standards, 149CSR2**.

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

Mr. Skinner explained his abstract on the rule proposed by the **Governor's Committee on Crime Delinquency and Correction, Protocol for Law Enforcement Response to Stalking, 149CSR7**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

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

Mr. Skinner reviewed his abstract on the rule proposed by the **Governor's Committee on Crime Delinquency and Correction, Protocol for Law Enforcement Response to Child Abuse and Neglect, 149CSR8**, and stated that the Agency has agreed to technical modifications.

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

Kevin Baker, Associate Counsel, explained his abstract on the rule proposed by the **WV Racing Commission, Thoroughbred Racing, 178CSR1**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Kelli Talbott, with the Attorney General's Office representing the Commission, responded to questions from the Committee.

Jon Amores, Executive Director of the Commission, responded to questions from the Committee.

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

Senator Snyder moved to amend the rule on page thirty-six by changing the age requirement from 18 to 16. The motion was adopted.

Delegate Brown moved that the proposed rule be approved as modified and amended. The motion was adopted.

Mr. Baker reviewed his abstract on the rule proposed by the **WV Racing Commission, Greyhound Racing, 178CSR2**.

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

Mr. Baker reviewed his abstract on the rule proposed by the **WV Racing Commission, Pari-Mutuel Wagering, 178CSR5**, and responded to questions from the Committee.

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

Mr. Baker explained his abstract on the rule proposed by the **Real Estate Appraiser Licensing and Certification Board, Requirements for Licensure, 190CSR2**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Sandy Kerns, Executive Director of the Board, responded to questions from the Committee.

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

Mr. Baker reviewed his abstract on the rule proposed by the **Real Estate Appraiser Licensing and Certification Board, Renewal of Licensure - Qualifications for Renewal, 190CSR3**.

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

Mr. Baker explained his abstract on the rule proposed by the **Hatfield-McCoy Regional Recreation Authority, Rules for Use of Facilities, 204CSR1**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Harry Shaffer, Counsel for the Agency, addressed the Committee and responded to questions.

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

Mr. Baker reviewed his abstract on the rule proposed by the **Division of Motor Vehicles, Denial, Suspension, Revocation, Disqualification, Restriction, Non-Renewal, Cancellation, Administrative Appeals, and Reinstatement of Motor Vehicle Operating Privileges, 91CSR5**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Jill Dunn, General Counsel for the Division, responded to questions from the Committee.

Steve O. Dale with the Division responded to questions from the Committee.

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

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