

Tuesday, October 9, 2012

5:00 p.m. to 7:00 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  
Boley  
Facemyer

Absent

Brown, Chairman  
Poling, Vice Chair  
Fleischauer  
Talbott  
Overington  
Sobonya

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

Delegate Brown pulled the following rules from the agenda:

**Bureau of Senior Services, In-Home Care Worker Registry, 76CSR2; WV Board of Optometry, Schedule of Fees, 14CSR5; WV Board of Optometry, Continuing Education, 14CSR10; and WV Board of Optometry, Expanded Therapeutic Procedures Certificate, 14CSR12.**

Senator Minard moved that the minutes of the September 10, 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.**

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

Kevin Baker, Associate Counsel, explained her abstract on the rule proposed by the **Board of Architects, Registration of Architect, 2CSR1**, stated that the Agency 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.

Charles Roskovensky, Associate Counsel, reviewed his abstract on the rule proposed by the **WV Board of Veterinary Medicine, Organization and Operation and Licensing of Veterinarians, 26CSR1**, and stated that the Agency 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 Veterinary Medicine, Schedule of Fees, 26CSR6**, stated that the Agency 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 **Division of Natural Resources, Special Boating Rules, 58CSR26**, 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 **Division of Natural Resources, Special Motorboat Regulations, 58CSR27**, and stated that the Agency 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, Defining the Terms Used in all Hunting and Trapping, 58CSR46**.

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, Deer Hunting Rule, 58CSR50**, and stated that the Agency 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, General Trapping, 58CSR53**.

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 Waterfowl Hunting, 58CSR58**.

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, Special Fishing Rule, 58CSR61**, 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

**Division of Natural Resources, Falconry, 58CSR65**, stated that the Agency 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.

Mr. Roskovensky explained his abstract on the rule proposed by the **WV State Athletic Commission, Regulating Mixed Marital Arts, 177CSR2**, and stated that the Agency has agreed to technical modifications.

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

Jay Lazell, Associate Counsel, reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality, 45CSR14**.

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

Mr. Lazell explained his abstract on the rule proposed by the **Division of Air Quality - DEP, Standards of Performance for New Stationary Sources, 45CSR16**.

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

Mr. Lazell reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Control of Air Pollution from Combustion of Solid Waste, 45CSR18**.

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

Mr. Lazell explained his abstract on the rule proposed by the **Division of Air Quality - DEP, Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities, 45CSR25**.

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

Mr. Lazell reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Requirements for Operating Permits, 45CSR30**.

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

Mr. Lazell explained his abstract on the rule proposed by the

**Division of Air Quality - DEP, *Emission Standards for Hazardous Air Pollutants*, 45CSR34.**

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

Brian Skinner, Associate Counsel, reviewed his abstract on the rule proposed by the **Office of the Administrative Hearings, *Appeal Procedures*, 105CSR1**, 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 Office of the Insurance Commissioner, *Provider Sponsored Network*, 114CSR43A**, and stated that the Agency has agreed to technical modifications.

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

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