

Tuesday, October 21, 2014

Senate Judiciary Committee
Room

4:00 p.m. to 6:00 p.m.

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

Jeffery V. Kessler
ex officio nonvoting member

Tim Miley
ex officio nonvoting member

Senate

House

Snyder, Chairman	Present	Poore, Chairman	Present
Laird	Present	Marcum, Vice Chairman	
Miller	Present	Eldridge	Present
Unger		Fleischauer	Present
Boley	Present	Frich	Present
Hall, M.	Present	Sobonya	Present

The Legislative Rule-Making Review Committee, met in the Senate Judiciary Committee Room at 4:00 p.m. on Tuesday, October 21, 2014. The meeting was called to order by Delegate Poore, and a silent roll call was taken, as reflected above.

Being laid over from the October 20, 2014 meeting, Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Immunizations Administered by Pharmacists, 15CSR12**. Mr. Hatfield explained that the Board has agreed to technical modifications.

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

Sarah Stewart, Associate Counsel, explained her abstract on the rule proposed by the **Enterprise Resource Planning Board, Enterprise Resource Planning System User Fee, 213CSR1**.

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

Kevin Baker, Associate Counsel, explained his abstract on the rule proposed by the **Alcohol Beverage Control Commission, Private Club Licensing, 175CSR2**. Mr. Baker stated that the Commission has agreed to technical modifications.

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

Kevin Baker, Associate Counsel, explained his abstract on the rule proposed by the **Alcohol Beverage Control Commission, Nonintoxicating Beer Licensing and Operations Procedures, 176CSR1**, and responded to questions from the Committee. Mr. Baker stated that the Commission has agreed to technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Fee Structure for the Pesticide Control Act, 61CSR24**, and responded to questions from the Committee. Ms. Graham stated that the Department has agreed to technical modifications.

Betty Burkitt, Humane Organizations of West Virginia, responded to questions from the Committee.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Fee Structure for the Pesticide Control Act, 61CSR12**, and responded to questions from the Committee. Ms. Graham stated that the Department has agreed to technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Auctioneers, 61CSR11B**, and responded to questions from the Committee. Ms. Graham stated that the Department has agreed to technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Inspection of Meat and Poultry, 61CSR16**. Ms. Graham stated that the Department has agreed to technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, WV Plant Pest Act, 61CSR14**. Ms. Graham stated that the Department has agreed to technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Frozen Desserts**

and Imitation Frozen Desserts, 61CSR4B, and responded to questions from the Committee. Ms. Graham stated that the Department approved technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Livestock Care Standards, 61CSR31**, and responded to questions from the Committee. Ms. Graham stated that the Department approved technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Animal Disease Control, 61CSR1**, and responded to questions from the Committee. Ms. Graham stated that the Department approved technical modifications.

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

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Rural Rehabilitation Loan Program, 61CSR33**, and responded to questions from the Committee. Ms. Graham stated that the DEP approved technical modifications.

Chris Ferro, Counsel, WV Department of Agriculture, responded to questions from the Committee.

Delegate Fleischauer moved to lay the rule over. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Equine Rescue Facilities, 61CSR32**, and responded to questions from the Committee. Ms. Graham stated that the Department has agreed to technical modifications.

Chris Ferro, Counsel, WV Department of Agriculture, responded to questions from the Committee.

Delegate Fleischauer moved to lay the rule over. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Aquaculture, Aquaculture Importation, 61CSR35**. Ms. Graham stated that the Department has agreed to technical modifications.

Senator Snyder moved that the proposed rule be approved

as modified. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Industrial Hemp, 61CSR29**, and responded to questions from the Committee. Ms. Graham stated that the Department has agreed to technical modifications.

Chris Ferro, Counsel, WV Department of Agriculture, responded to questions from the Committee.

The Chair announced that the rule would lay over.

There being no further business to come before the Committee, Delegate Sobonya moved to adjourn. The motion was adopted.