

Monday, November 17, 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	Present	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 Monday, November 17, 2014. The meeting was called to order by Delegate Poore, and a silent roll call was taken, as reflected above. Delegate Poore moved to adopt the minutes of the October 20<sup>th</sup> and 21<sup>st</sup> meetings. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Dangerous Wild Animals, 61CSR30**, and responded to questions from the Committee.

Chris Ferro, Counsel, Department of Agriculture; Jewell Plumly, DNR; and Paul Johansen, DNR; each responded to questions from the Committee.

The Committee heard testimony from citizens Richard Stanley and Melinda Meter and Mr. Stanley and Ms. Meter responded to questions from the Committee.

Senator Snyder moved to modify 61CSR30 on page 6, Subdivision 3.1.g, after the words "mountain lions;" by adding the word "and"; On page 6, Subdivision 3.1.g, after the word "caracals", by changing the semicolon to a period and striking out the remainder of the subdivision; on page 7, by striking out all of subdivision 3.1.t; and on page 8 by striking out all of subdivisions 3.1.v, 3.1.w., 3.1.x., 3.1.y and 3.1.z. Delegate Sobonya moved to amend that modification by including poisonous snakes (3.1.u - 3.1.u8). Delegate Sobonya's motion was adopted. Senator Snyder's motion to modify the rule, as amended with Delegate Sobonya's amendment, was adopted.

Ms. Graham explained that the Department had agreed to these 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 **Department of Agriculture, Industrial Hemp, 61CSR29**. The Chair announced that this rule would be moved to the foot of the agenda.

Delegate Fleischauer requested unanimous consent to have the Committee reconsider its actions on **33CSR1** and recommit the rule to the Legislative Rule-Making Review Committee. There being objection, pursuant to a roll call demand by Delegate Fleischauer, a vote was taken with two-thirds "ayes" needed to supercede the objection. Voting "aye" to have the rule recommitted were the following: Senator Laird, Senator Miller, Senator Snyder, Senator Unger, Delegate Eldridge, Delegate Frich, Delegate Fleischauer and Delegate Poore. Voting "nay" to have the rule recommitted were the following: Delegate Hall and Delegate Sobonya. With more than two-thirds of the Committee voting "aye", the motion by Delegate Fleischauer was adopted and the rule will be recommitted to the Legislative Rule-Making Review Committee.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Rural Rehabilitation Loan Program, 61CRS33**, and responded to questions from the Committee.

Senator Miller moved to amend and modify the rule on page 3 by striking out subsection 4.2. The motion was adopted. Ms. Graham stated that the Department agreed to this modification.

Delegate Poore 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, Equine Rescue Facilities, 61CSR32**, and responded to questions from the Committee.

Jewell Plumly, Department of Agriculture, responded to questions from the Committee.

The Chair announced that the bill would move to the foot of the agenda.

Sarah Stewart, Associate Counsel, explained her abstract on the rule proposed by the **Board of Osteopathic Medicine, Fees for Services Rendered, 24CSR5**.

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

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy,**

**Registration of Pharmacy Technicians, 15CSR7,** and responded to questions from the Committee. Mr. Hatfield stated that the Department has agreed to modifications.

Diana Shepherd, Osteopathic Board, responded to questions from the Committee.

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

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Medicine, Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants, 11CSR1B.** Mr. Hatfield stated that the Department has agreed to technical modifications.

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

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Licensure and Practice of Pharmacy, 15CSR1.** Mr. Hatfield stated that the Board has agreed to technical modifications.

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

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Registration of Pharmacy Technicians, 15CSR7,** and responded to questions from the Committee. Mr. Hatfield stated that the Board has agreed to technical modifications.

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

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