

Tuesday, November 18, 2014

Senate Judiciary Committee
Room

10:00 a.m. to 12:00 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 10:00 a.m. on Tuesday, November 18, 2014. The meeting was called to order by Senator Snyder, and a silent roll call was taken, as reflected above.

Delegate Poore moved that the **Department of Agriculture, Industrial Hemp, 61CSR29**, withdraw the rule. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Equine Rescue Facilities, 61CSR32**.

Tinia Creamer, Heart of Phoenix Horse Rescue, addressed the Committee and responded to questions.

The Chair announced that the rule would be moved to the foot of the agenda.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by **Soil Conservation Committee, Financial Assistance Programs, 63CSR2**, and responded to questions from the Committee.

Senator Miller moved to modify the rule by adding the following language: "3.1 Conservation Districts shall provide recommendations to the State Conservation Committee on local resource concerns, needed conservation practices, financial assistance rates and other local priority needs; 3.2 The State Conservation Committee shall consider the Conservation Districts' recommendations when developing the annual program criteria; and 3.2a Conservation Districts shall use the State Conservation Committee's approved practice list to generate and submit a local priority list to the West Virginia Conservation Agency for approval prior to the start of the program year." Debra Graham, Chief

Counsel, stated that the Committee agreed to the 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 **Division of Labor, Amusement Rides and Amusement Attractions Safety Act, 42CSR17.**

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 **Division of Labor, Weights and Measures Calibration Fees, 42CSR26.**

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 **Division of Labor, Supervision of Plumbing Work, 42CSR32,** and responded to questions from the Committee. Ms. Graham stated that the Division has agreed to modifications.

John Junkins, Acting Deputy Commissioner, WV Department of Labor responded to questions from the Committee.

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 **Division of Labor, Verifying the Legal Employment Status of Workers, 42CSR31,** and responded to questions from the Committee.

The Chair announced that the rule would be moved to the foot of the agenda.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Division of Labor, Regulation of Heating, Venting, and Cooling, 42CSR34.** Ms. Graham stated that the Division has agreed to technical modifications.

Mitch Woodrum, Acting Department Commissioner, Division of Labor, responded to questions from the Committee.

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 **Division of Labor, Child Labor, 42CSR9**, and responded to questions from the Committee. Ms. Graham stated that the Division has agreed to technical modifications.

John Junkins, Acting Deputy Commissioner, WV Department of Labor, responded to questions from the Committee.

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

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the **DEP - Water and Waste Management, Hazardous Waste Management System, 33CSR20**, and responded to questions from the Committee.

Delegate Poore moved the rule be approved. The motion was adopted.

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the **DEP - Secretary's Office, Awarding of WV Stream Partners Program Grants, 60CSR4**, and responded to questions from the Committee.

Kristen Boggs, Counsel, Department of Environmental Protection, responded to questions from the Committee.

Delegate Poore moved the rule be approved. The motion was adopted.

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