

Monday, September 8, 2014

Senate Judiciary Committee  
Room

3:00 p.m. to 5:00 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
Laird	Present
Miller	Present
Unger	
Boley	Present
Hall, M.	Present

Poore, Chairman	Present
Marcum, Vice Chairman	Present
Eldridge	Present
Fleischauer	Present
Frich	Present
Sobonya	Present

The Legislative Rule-Making Review Committee, met in the Senate Judiciary Committee Room at 3:00 p.m. on Monday, September 8, 2014. The meeting was called to order by Delegate Poore, and a silent roll call was taken, as reflected above.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Bureau for Public Health, Public Water Systems, 64CSR3**. Delegate Fleischauer requested a detailed explanation regarding three different fiscal notes attached to the proposed rule. The Chair announced that the proposed rule would be moved to next month's meeting for consideration pending a new abstract which would include the information requested by Delegate Fleischauer.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Bureau for Public Health, State-wide Trauma/Emergency Care System, 64CSR27**, and responded to questions from the Committee. Mr. Johnson stated that the Bureau has agreed to technical modifications.

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

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Bureau for Public Health, Fatality and Mortality Review Team, 64CSR29**, and responded to questions from the Committee. Mr. Johnson stated that the Bureau has agreed to technical modifications.

Trish McKay, Child Fatality Review Team, responded to questions from the Committee.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Office of Miners' Health, Safety and Training, Safety of Those Employed In and Around Quarries in West Virginia, 56CSR20**, and responded to questions from the Committee. Mr. Skinner stated that the Office has agreed to technical modifications.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Department of Administration, Purchasing Division, 148CSR1**, and responded to questions from the Committee. Mr. Skinner stated that the Department has agreed to technical modifications.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Department of Administration, State Owned Vehicles, 148CSR3**, and responded to questions from the Committee. Mr. Skinner stated that the Department has agreed to technical modifications.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Department of Administration, State Plan for the Operation of the WV State Agency for Surplus Property, 148CSR4**, and responded to questions from the Committee. Mr. Skinner stated that the Department has agreed to technical modifications.

David Tincher, WV Purchasing Director, responded to questions from the Committee.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Department of Administration, Procedures for Sanitaization, Retirement and Disposition of Information Technology Equipment, 161CSR3**, and responded to questions from the Committee. Mr. Skinner stated that the Department has agreed to technical modifications.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Insurance Commission, Annuity Disclosure, 114CSR11E**, and responded to questions from the Committee. Mr. Skinner stated that the Commission has agreed to technical modifications.

Andrew Pauley, General Counsel, Insurance Commission, responded to questions from the Committee.

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

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Insurance Commission, Recognizing Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities, 114CSR45**, and responded to questions from the Committee.

Mary Jane Pickens, Counsel, ACLI, responded to questions from the Committee.

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

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

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

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

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

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

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

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the **DEP - Air Quality, Requirements for Operating Permits, 45CSR30**.

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

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the **DEP - Air Quality, Emission Standards for Hazardous Air Pollutants, 45CSR34.**

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

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