

Legislative Rule-Making Review Committee
Minutes for Wednesday, September 23, 2020

House Chamber
9:00 a.m. to 5:00 p.m.

Senate

Sypolt, Chair	Present
Baldwin	Present
Jeffries	Present
Roberts	Present
Rucker	Present
Weld	
Carmichael, Nonvoting	

House

Foster, G., Chair	Present
Butler	Present
Fleischauer	Present
Martin, P.	Present
Rowe	Present
Steele	
Hanshaw, Nonvoting	

The Legislative Rule-Making Review Committee met in the House Chamber at 9:00 a.m. on Wednesday, September 23, 2020. The meeting was called to order by the Chair, Delegate Foster. A silent roll call was taken by the Clerk to establish a quorum, as reflected above. Staff present included: Jeff Johnson, Senate Counsel; Brian Casto, House Counsel; Mark McOwen, House Counsel; Carl Fletcher, Senate Counsel; Max Wilkinson, House Counsel; Robert Akers, House Counsel; James Fuerhoff, Director of Legislative Rule-Making Review Committee.

The first order of business was approval of the minutes from the January 7, 2020 meeting. Chairman Foster recognized Senator Sypolt for the purpose of a motion to approve the minutes. The motion was adopted.

1. Mark McOwen, Associate Counsel, explained his abstract on the rule proposed by the **Tax Department, Tax Credit for Providing Vehicles to Low-Income Workers, 110 CSR 13FF**, and responded to questions from the Committee.

Steve Stockton, Legal Division, State Tax Department, addressed the Committee and responded to questions.

Adam Holley, General Counsel, Division of Motor Vehicles, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

2. Mark McOwen, Associate Counsel, explained his abstract on the rule proposed by the **Tax Department, High-Wage Growth Business Tax Credit, 110 CSR 13II**.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

3. Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Insurance Commission, Fingerprinting Requirements for Applicants for Insurance Producer and Insurance Adjuster License, 114 CSR 02A.**

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

4. Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Insurance Commission, Insurance Adjusters, 114 CSR 25**, and responded to questions from the Committee.

Erin Hunter, General Counsel, Office of the Insurance Commissioner, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

5. Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Insurance Commission, Credit for Reinsurance, 114 CSR 40.**

Erin Hunter, General Counsel, Office of the Insurance Commissioner, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

6. Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Insurance Commission, Continuing Education for Individual Producers and Individual Insurance Adjusters, 114 CSR 42.**

On motion of Senator Sypolt, the rule was approved as filed.

7. Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Insurance Commission, Mental Health Parity, 114 CSR 64**, and responded to questions from the Committee.

Erin Hunter, General Counsel, Office of the Insurance Commissioner, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

8. Brian Casto, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Ambient Air Quality Standards, 45 CSR 08.**

On motion of Senator Sypolt, the rule was approved as filed.

9. Brian Casto, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Standards for Performance for New Stationary Sources, 45 CSR 16**, and responded to questions from the Committee.

Jason Wandling, General Counsel, Department of Environmental Protection, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the rule was approved as filed.

10. Brian Casto, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Control of Air Pollution from Combustion of Solid Waste, 45 CSR 18**.

On motion of Senator Sypolt, the rule was approved as filed.

11. Brian Casto, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Control of Air Pollution from Municipal Solid Waste Landfills, 45 CSR 23**.

On motion of Senator Sypolt, the rule was approved as filed.

12. Brian Casto, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Acid Rain Provisions and Permits, 45 CSR 33**, and responded to questions from the Committee.

Jason Wandling, General Counsel, Department of Environmental Protection addressed the Committee and responded to questions.

Laura Jennings, Division of Air Quality, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the rule was approved as filed.

13. Brian Casto, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Emission Standards for Hazardous Air Pollutants, 45 CSR 34**.

On motion of Senator Sypolt, the rule was approved as filed.

14. Brian Casto, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units, 45 CSR 44**, and responded to questions from the Committee.

Jason Wandling, General Counsel, Department of Environmental Protection addressed the Committee and responded to questions.

Laura Jennings, Division of Air Quality, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

Delegate Fleischauer and Delegate Rowe requested to be recorded as a “no” vote on the motion by Senator Sypolt to approve the rule as modified.

15. Carl Fletcher, Associate Counsel, explained his abstract on the rule proposed by the **Division of Motor Vehicles, Examination and Issuance of Driver’s Licenses, 91 CSR 04**, and responded to questions from the Committee.

Adam Holley, General Counsel, Division of Motor Vehicles, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

16. Carl Fletcher, Associate Counsel, explained his abstract on the rule proposed by the **Division of Motor Vehicles, Denial, Suspension, Revocation, Disqualification, Restriction, Non-Renewal, Cancellation, Administrative Appeals, and Reinstatement of Driving Privileges, 91 CSR 05**, and responded to questions from the Committee.

On motion of Senator Sypolt, the rule was approved as filed.

17. Carl Fletcher, Associate Counsel, explained his abstract on the rule proposed by the **Division of Motor Vehicles, Compulsory Motor Vehicle Liability Insurance, 91 CSR 13**, and responded to questions from the Committee.

Adam Holley, General Counsel, Division of Motor Vehicles, addressed the Committee and responded to questions.

Debbie Ferguson, Director of Driver Services, Division of Motor Vehicles, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

18. Carl Fletcher, Associate Counsel, explained his abstract on the rule proposed by the **Division of Motor Vehicles, Special Purpose Vehicles, 91 CSR 25**, and responded to questions from the Committee.

Matt Yeager, District Administrator, Division of Natural Resources, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the rule was laid over to a future meeting.

19. Carl Fletcher, Associate Counsel, explained his abstract on the rule proposed by the **Division of Natural Resources, Cabwaylingo State Forest Trail System Two Year Pilot Program Permitting ATV’s and ORV’s, 58 CSR 36**.

On motion of Senator Sypolt, the rule was approved as filed.

20. Max Wilkinson, Associate Counsel, reviewed his abstract on the rule proposed by the **Division of Natural Resources, Defining the Terms Used in all Hunting and Trapping, 58 CSR 46.**

On motion of Senator Sypolt, the rule was approved as filed.

21. Max Wilkinson, Associate Counsel, reviewed his abstract on the rule proposed by the **Division of Natural Resources, Deer Hunting Rule, 58 CSR 50.**

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

22. Max Wilkinson, Associate Counsel, reviewed his abstract on the rule proposed by the **Division of Natural Resources, Special Migratory Game Bird Hunting, 58 CSR 56.**

On motion of Senator Sypolt, the rule was approved as filed.

23. Max Wilkinson, Associate Counsel, reviewed his abstract on the rule proposed by the **Division of Natural Resources, Special Waterfowl Hunting, 58 CSR 58.**

On motion of Senator Sypolt, the rule was approved as filed.

24. Robert Akers, Associate Counsel, reviewed his abstract on the rule proposed by the **Department of Environmental Protection, Waste Management System, 33 CSR 20**, and responded to questions from the Committee.

Jason Wandling, General Counsel, Department of Environmental Protection, addressed the Committee and responded to questions.

Joe Sizemore, Assistant Chief Inspector, Department of Environmental Protection, addressed the Committee and responded to questions.

On motion of Senator Sypolt, the rule was approved as filed.

With no further business to come before the Committee, Senator Sypolt moved to adjourn. The motion was adopted. The Committee adjourned at 3:10 P.M.