

MAY 6

AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Monday - May 6, 1991 - 1:00 - 3:00 p.m.

CITY HALL, 800 5th AVENUE, HUNTINGTON, WV

1. Approval of Minutes - Meeting April 15, 1991.
2. Review of Legislative Rules:
 - a. Board of Investments - Administration of the Consolidated Fund by the West Virginia State Board of Investments
 - b. Board of Investments - Procedures for Processing Payments from the State Treasury
 - c. Board of Investments - Procedures for Deposit of Moneys with the Board of Investments and Treasurer's Office by State Agencies
 - d. Board of Investments - Selection of State Depositories for Receipt Accounts
 - e. Board of Investments - Establishment of Imprest Funds
 - f. Board of Investments - Selection of State Depositories for Disbursement Accounts through Competitive Bidding
 - g. Secretary of State - Absentee Voting by Military Voters who are Members of Reserve Units Called to Active Duty
 - h. West Virginia Board of Architects - Rules of the West Virginia Board of Architects
 - i. Director of Health - Emergency Medical Services
 - j. Public Energy Authority - Establishment of Fee Schedule and Cost Allocations to the Issuance of Bonds by the WV Public Energy Authority, Series 1

k. Public Energy Authority - Establishment of Rules and Procedure for the Exercise of the Powers of Eminent Domain for Qualified Projects

l. WV Board of Pharmacy - Computer Regulations

m. Board of Accountancy - Board Rules and Regulations and Rules of Professional Conduct

3. Other Business:

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- m. Board of Accountancy - Board Rules and Regulations and Rules of Professional Conduct

3. Other Business:

Monday, May 6, 1991

1:00 - 3:00 p.m.

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

Keith Burdette
ex officio nonvoting member

Robert "Chuck" Chambers,
ex officio nonvoting member

Senate

House

Wooten, Chairman
Chafin
Manchin, J.
Tomblin
Wiedebusch (absent)
Boley

Grubb, Chairman
Burk
Faircloth
Roop
Love
Gallagher

The meeting was called to order by Mr. Wooten, Co-Chairman.

The minutes of the April 15, 1991 meeting were approved.

Michael McThomas, Associate Counsel, reviewed his abstract on the rule proposed by the Secretary of State - Absentee Voting by Military Voters who are Members of Reserve Units Called to Active Duty. Robert Wilkinson, Deputy Secretary of State, addressed the Committee regarding the proposed rule and answered questions.

Mr. Roop moved that the proposed rule be approved. The motion was adopted.

Debra Graham, Committee Counsel, reviewed her abstract on the rule proposed by the West Virginia Board Architects - Rules of the West Virginia Board of Architects. She stated that the proposed rule needs extensive technical modifications and that she had been unable to meet with a representative of the Board regarding their willingness to accept the proposed modifications. E. Keith Dean, Secretary of the Board, told the Committee that the Board would agree to the technical modifications and he answered questions from the Committee.

Mr. Manchin moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Director of Health - Emergency Medical Services. She told the Committee that the Director had agreed to technical modifications. D. Terry Shorr answered questions from the Committee.

Mr. Roop moved that the proposed rule be approved as modified. The motion was adopted.

Mr. McThomas told the Committee that the rules proposed by the Public Energy Authority - Establishment of Fee Schedule and Cost Allocations to the Issuance of Bonds by the West Virginia Public Energy Authority and Establishment of Rules and Procedure for the Exercise of the Powers of Eminent Domain for Qualified Projects did not take into account recent legislation and that he had rewritten both rules to incorporate the legislation. He reviewed the proposed rule on the Fee Schedule. Mr. Wooten noted that there was no representative present from the Authority and Mr. McThomas stated that he had not discussed his proposed modifications with the Authority.

Mr. Roop moved that both rules proposed by the Public Energy Authority lie over until the next meeting. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the West Virginia Board of Pharmacy - Computer Regulations and answered questions from the Committee. She stated that the Board had agreed to technical modifications.

Mr. Burk moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained the rule proposed by the Board of Accountancy - Board Rules and Regulations and Rules of Professional Conduct. She told the Committee that the Board had agreed to technical modifications. Gary Swingle, Secretary of the Board, answered questions from the Committee.

Mr. Burk moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Board of Investments - Administration of the Consolidated Fund by the West Virginia State Board of Investments. She stated that the Board had agreed to technical modifications. Craig Slaughter, Executive Director of the Board, addressed the Committee regarding the proposed rule and answered questions from the Committee.

Mr. Burk moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Board of Investments - Procedures for Processing Payments from the State Treasury. She stated that the Board had agreed to technical modifications. Mr. Slaughter responded to questions.

Mr. Faircloth moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Board of Investments - Procedures for Deposit of Moneys with the Board of Investments and Treasurer's Office by State Agencies. She stated that the Board had agreed to technical modifications.

Mr. Love moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Board of Investments - Selection of State Depositories for Receipt Accounts. She stated that the Board had agreed to technical modifications.

Mr. Faircloth moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Board of Investments - Establishment of Imprest Funds - and answered questions from the Committee. She stated that the Board had agreed to technical modifications. Jerry Simpson, Chief Operation Officer, answered questions from the Committee. Mr. Chafin asked Mr. Simpson if the Board would be willing to accept an additional modification limiting the amount which a student could be charged for a returned check to five dollars. Mr. Simpson stated that the Board would be willing to accept the modification.

Mr. Chafin moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Board of Investments - Selection of State Depositories for Disbursement Accounts through Competitive Bidding. She stated that the Board had agreed to technical modifications.

Mr. Roop moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed the proposed rules which have been abstracted and told the Committee that they might want to consider scheduling a special meeting to consider those proposed rules which are ready for consideration by the Committee.

The meeting was adjourned.

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: MAY 6, 1991

TIME: 1:00 - 3:00 p.m.

<u>NAME</u>	<u>Present</u>	<u>Absent</u>	<u>Yeas</u>	<u>Nays</u>
Chambers, Robert "Chuck", Speaker				
Grubb, David, Co-Chair	✓			
Burk, Robert W., Jr.	✓			
Faircloth, Larry V.	✓			
Brian A. Gallagher	✓			
Love, Sam	✓			
Roop, Jack	✓			
Burdette, Keith, President				
Wooton, William, Co-Chair	✓			
Chafin, Truman H.	✓			
Manchin, Joe, III	✓			
Tomblin, Earl Ray	✓			
Boley, Donna	✓			
Wiedebusch, Larry		✓		
TOTAL	//	/		

RE: _____

REGISTRATION PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

COMMITTEE: Leg. Rule-Making Review DATE: May 6, 1991

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
Please print or write plainly PAUL LANGDON	1908 DOWNTON	PUBLIC	NO
Jan Fox	State Capitol PM26-E Office of Atty Gen.	Bd of Arch.	NO
E. KEITH DEAN	1510 WASHINGTON BLVD	BD OF ARCHITECTS	
JANE Eschleman	910 4th Ave Huntington Suite 412 25701-1434	Bd of Architects	
bwn D. Law	101 Bee Drive CHARLESTON 25311	WVNA, WVPA	
Kathy G. Eddy CPA	914 Market St. Parkersburg	WV. WV Bd of Accountancy	
Gary L. Swingler CPA	1000 LaRue Tower Char Wv	W.V. Bd of Accountancy	
Ken Howard	Charleston	Dept. of HHR	If needed
D. PERRY SHORR	CHARLESTON	HHR - EMS	
JERRY SIMPSON	"	BD. OF INVESTMENTS	
CRAIG SLAUGHTER	"	" " "	" "
Joe Goffken	Charleston	Columbia Gas	
MARK ASAAD	Charleston	Trans. Off. Investments	