

AUGUST



TENTATIVE AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

MONDAY, AUGUST 9, 1993 - 9:00 A.M. - 11:00 A.M.

SENATE FINANCE COMMITTEE ROOM - M-451

1. Approval of Minutes - Meeting June 28, 1993
2. Review of Legislative Rules:
 - a. Embalmers and Funeral Directors, Board of
Rules of the WV Board of Embalmers and Funeral
Directors
 - b. Motor Vehicles, Division of
Motor Vehicle Alcohol Test and Lock Program
 - c. Environmental Protection, Division of
Solid Waste Landfill Closure Assistance Program
Regulations
 - d. Environmental Protection, Division of
Assessment of Civil Administrative Penalties
 - e. Environmental Protection, Division of
Monitoring Well Regulations
 - f. Speech-Language Pathology and Audiology, WV Bd of
Examiners for
Regulations governing the licensure of speech-language
pathology and audiology
 - g. Speech-Language Pathology and Audiology, WV Bd of
Examiners for
Regulations governing the licensure of speech-langauge
pathology and audiology assistants
3. Other Business:

Monday, August 9, 1993

9:00 a.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

Manchin, Chairman (absent)
Grubb, Vice Chairman
Anderson
Boley (absent)
Macnaughtan
Minard

Gallagher, Chairman
Douglas, Vice Chairman
Burk (absent)
Compton
Faircloth
Huntwork (absent)

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

The minutes of the June 28, 1993, meeting were approved.

Debra Graham, Committee Counsel, reviewed the rule proposed by the Division of Motor Vehicles, Motor Vehicle Alcohol Test and Lock Program, and stated that the Division had agreed to technical modifications. Jane Cline, Commissioner of the Division, responded to questions from the Committee.

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

Ms. Graham explained the rule proposed by the West Virginia Board of Examiners for Speech-Language Pathology and Audiology, Regulations Governing the Licensure of Speech-Language Pathology and Audiology, and stated that the Board had agreed to technical modifications. Peter Americo, a member of the Board, answered questions from the Committee.

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 West Virginia Board of Examiners for Speech-Language Pathology and Audiology, Regulations Governing the Licensure of Speech-Language Pathology and Audiology Assistants, and stated that the Board has agreed to technical modifications.

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

Mr. Macnaughtan stated that an emergency rule filed by the Division of Environmental Protection, Sewage Sludge Management Regulations, does not comply with the intent of the underlying statute. He stated that the Secretary of State's Office will be making a decision on the emergency rule within the next few days.

Mr. Macnaughtan moved that the Committee send a letter to the Secretary of State requesting that the Secretary of State disapprove the emergency rule under the provisions of W. Va. Code, §29A-3-15a, which require the disapproval of an emergency rule where "the agency has exceeded the scope of its statutory authority in promulgating the emergency rule." The motion was adopted.

The meeting was adjourned.

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: August 9, 1993

TIME: 9:00 A.M.

<u>NAME</u>	<u>Present</u>	<u>Absent</u>	<u>Yeas</u>	<u>Nays</u>
Chambers, Robert "Chuck", Speaker	✓			
Brian Gallagher, Co-Chair		✓		
Burk, Robert W., Jr.	✓			
Faircloth, Larry V.	✓			
Douglas, Vickie	✓			
Compton, Mary P.	✓			
Huntwork, John		✓		
Burdette, Keith, President				
Joe Manchin, III Co-Chair		✓		
Anderson, Leonard	✓			
Grubb, David	✓			
Minard, Joseph	✓			
Macnaughtan, Don	✓			
Boley, Donna		✓		
TOTAL	8	4		

RE: _____

REGISTRATION OF PUBLIC
 AT
 COMMITTEE MEETINGS
 WEST VIRGINIA LEGISLATURE

COMMITTEE: *Legislative Rule-Making Review*

DATE: *August 9, 1993 9:00 A.M.*

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
<small>Please print or write plainly</small> <i>Peter K. Americo</i>	<i>1507 BYNG DR SO CHAS</i>	<i>SP. PATH - RADIO</i>	
<i>JIM FOIL</i>	<i>514 WEST LEE ST CHAS. WV</i>	<i>Audiologist</i>	

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

COMMITTEE: Leg. Rule-Making Review

DATE: August 9, 1993 9:00 A.M.

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
Please print or write plainly			
Randy Hoffman	1356 Norfolk St	WV DEP - OWM	As needed
Ken Ellison	"	" Office of Waste Mgmt	"
David H. Bolyard	5800 Wash St. E	DMV	
Craig Stragg S	23 High Meadow Dr	DuPont	
Mike McThomas	Box 1771	Robinson + McElwain	"
Bret Archer	Charleston	Columbia GAS	