

JUNE 11

AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Sunday, June 11, 1995, 5:00 - 7:00 p.m.

House Judiciary Committee Room - M-410

- 1. Approval of Minutes - Meeting January 9, 1995**
- 2. Review of Legislative Rules:**
 - a. Secretary of State
Agencies Designated to Provide Voter Registration Services**
 - b. Division of Environmental Protection-Water Resources
Waste Management
Waste Tire Management Rule**
 - c. Division of Natural Resources
Commercial Sale of Wildlife**
 - d. Division of Public Safety
West Virginia DNA Databank**
 - e. West Virginia Lottery
Licensees and the Americans With Disabilities Act**
 - f. Board of Miner Training, Education and Certification
Rules & Regulations Governing the Safety Training Program
for Prospective Surface Coal Miners in West Virginia**
- 3. Other Business:**

Sunday, June 11, 1995

5:00 p.m.- 7:00 p.m.

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

Earl Ray Tomblin Robert "Chuck" Chambers,
ex officio nonvoting member ex officio nonvoting member

Senate

Ross, Chairman
Grubb, Vice Chairman
Anderson
Boley
Buckalew
Macnaughtan

House

Douglas, Chairman
Linch, Vice Chairman
Compton
Faircloth
Gallagher
Riggs

The meeting was called to order by Ms. Douglas, Co-Chairman.

The minutes of the January 9, 1995, meeting were approved.

Ms. Douglas told the Committee that Rick Staton, Chairman of the House Committee on the Judiciary, was present to explain the purpose of the committee on technical corrections. Mr. Staton addressed the Committee and responded to questions. Joe Altizer, Associate Counsel briefed the Committee on a letter that he will send to all State agencies and boards involved in rule-making regarding technical changes and responded to questions from the Committee.

Debra Graham, Committee Counsel reviewed her abstract on the rule proposed by the Secretary of State, Agencies Designated to Provide Voter Registration Services, and stated that the Secretary of State has agreed to technical modifications.

Ms. Compton moved that the proposed rule be approved as modified. The motion was adopted. Mr. Anderson, Mr. Ross, Mr. Riggs and Ms Boley voted "No."

Mr. Altizer explained the rule proposed by the Division of Environmental Protection-Water Resources, Waste Tire Management Rule, and stated that the Division has agreed to technical modifications. He responded to questions from the Committee. Dick Cooke, Assistant Chief of Solid Waste Management, answered questions from the Committee.

Mr. Ross moved that the proposed rule be placed at the foot of the agenda. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the Division of Natural Resources, Commercial Sale of Wildlife, and stated that the Division has agreed to technical modifications. She responded to questions from the Committee. Gordon Robertson,

Deputy Chief of Wildlife Resources, and Jim Crum, of the Division of Natural Resources, responded to questions from the Committee.

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

Mr. Gallagher moved that the Committee request authority from the Joint Committee on Government and Finance to meet, when necessary and upon approval of the President and the Speaker, at times other than during scheduled interims and that expense reimbursement be authorized. The motion was adopted.

Ms. Graham explained the rule proposed by the Division of Public Safety, West Virginia DNA Databank, and stated that the State Police have agreed to technical modifications. She answered questions from the Committee. Ted Smith, Supervisor of the State Police DNA lab, responded to questions from the Committee.

Ms. Douglas 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 Lottery, Licensees and the Americans With Disabilities Act, and stated that the Lottery has agreed to technical modifications. John Melton, General Counsel of the Lottery Commission, answered questions from the Committee. Ms. Boley asked if the Lottery would be willing to modify the proposed rule to make it clear that curb service is considered a readily achievable step to remove barriers. Mr. Melton agreed to the modification.

Ms. Boley moved that the proposed rule be modified to make it clear that curb service is considered a readily achievable step to remove barriers. The motion was adopted.

Ms. Douglas moved that the proposed rule be approved as modified. The motion was adopted. Mr. Anderson and Mr. Buckalew voted "No".

Rita Stuart, Associate Counsel, explained the rule proposed by the Board of Miner Training, Education and Certification, Rules and Regulations Governing the Safety Training Program for Prospective Surface Coal Miners in West Virginia, and answered questions from the Committee.

Ms. Compton moved that the proposed rule be approved. The motion was adopted.

The meeting was adjourned.

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: June 11, 1995

TIME: 5:00 - 7:00 p.m.

NAME Present Absent Yeas Nays

Chambers, Robert "Chuck", Speaker

Douglas, Vickie, Co-Chair

Linch, Larry, Vice-Chair

Compton, Mary Pearl

Faircloth, Larry V.

Gallagher, Brian

Riggs, Dale

Tomblin, Earl Ray, President

Ross, Michael, Co-Chair

Grubb, David, Vice-Chair

Anderson, Leonard

Boley, Donna

Buckalew, Jack

Macnaughtan, Don

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RE: _____

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

COMMITTEE: Leg. Rule-Making Com.

DATE: June 11, 1995

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
Please print or write plainly Jan Casto	1019 Sandhill Dr. St. Albans, W.Va. 25177	Voter Reg. Coordinator Secretary of State	
William Bolts Willis	1615 Wash St E. Charleston WV 25301	Office of Miners Health Safety Training	
NANK KARAWAN	CHAS. RYAN AFB	CIBAC	
John Melton	Charleston WV	WV Lottery	x
Jim Crum	P.O. Box 67 Elkins WV	WV DNR Wildlife	
Gordon Robertson	Charleston, WV	WV DNR - Wildlife	
Paul Johansen	Charleston, WV	WV DNR - Wildlife	
Dick Hall	P.O. Box 67, Elkins, WV	WV DNR - Wildlife	
Dick Cooke	1356 Hartsford St	WV DEP	
Charlie Jordan	" " "	WV SWMPB	
Paul Benedum	" " "	WV DEP	