

**AUGUST 4**



**TENTATIVE AGENDA**  
**LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**  
**Monday, August 4, 2003**  
**4 p.m. to 5 p.m.**  
**Senate Finance Committee Room, M-451**

1. **Approval of Minutes - June 10, 2003**
2. **Review of Legislative Rules:**
  - a. **Division of Natural Resources**  
*Revocation of Hunting and Fishing License, 58CSR23*
  - b. **Division of Natural Resources**  
*Special Motorboating Regulations, 58CSR27*
  - c. **Division of Natural Resources**  
*Special Fishing Rule, 58CSR61*
  - d. **Infrastructure and Jobs Development Council**  
*Infrastructure and Jobs Development Council, 167CSR1*
  - e. **Board of Examiners of Psychologists**  
*Fees, 17CSR1*
  - f. **State Board of Examiners for Licensed Practical Nurses**  
*Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing, 10CSR1*
  - g. **Division of Health**  
*Public Water Systems, 64CSR3*
  - h. **Board of Medicine**  
*Licensing and Disciplinary Procedures: Physicians; Podiatrists, 11CSR1A*
3. **Other Business**

Monday, August 4, 2003

4 p.m. to 5 p.m.

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

Earl Ray Tomblin  
ex officio nonvoting member

Robert "Bob" Kiss  
ex officio nonvoting member

**Senate**

**House**

Ross, Chairman

Mahan, Chairman

Minard, Vice Chairman Absent

Thompson, Vice Chairman Absent

Snyder

Cann

Unger Absent

Kominar

Boley

Armstead

Minear Absent

Faircloth

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

The minutes of the June 10, 2003, meeting were approved.

Debra Graham, Committee Counsel, explained the rule proposed by the *Division of Natural Resources-Revocation of Hunting and Fishing License, 58CSR23*, and stated that the Division has agreed to technical modifications. Lt. Colonel W.B. Daniel, Deputy Chief of the Law Enforcement Division, responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the *Division of Natural Resources-Special Motorboating Regulations, 58CSR27*.

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

Ms. Graham explained the rule proposed by the *Division of Natural Resources-Special Fishing Rule, 58CSR61*.

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

Ms. Graham reviewed her abstract on the rule proposed by the *Infrastructure and Jobs Development Council-Infrastructure and Jobs Development Council, 167CSR1*, and stated that the Council has agreed to technical modifications. She and Katy Mallory, Executive Secretary for the Council, responded to questions from the Committee.

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

Ms. Graham explained the rule proposed by the *Board of Examiners of Psychologists-Fees, 17CSR1*, stated that the Board has agreed to technical modifications and responded to questions.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted. Ms. Boley voted "No".

Ms. Graham reviewed her abstract on the rule proposed by the *State Board of Examiners for Licensed Practical Nurses-Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing, 10CSR1*.

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

Ms. Graham explained the rule proposed by the *Division of Health-Public Water Systems, 64CSR3*. She and Vic Wilford, Director of the Environmental Engineering Division, responded to questions from the Committee.

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

Ms. Graham reviewed her abstract on the rule proposed by the *Board of Medicine-Licensing and Disciplinary Procedures: Physicians; Podiatrists, 11CSR1A*.

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

The meeting was adjourned.

**AUGUST INTERIM ATTENDANCE**  
**Legislative Interim Meetings**  
**August 3, 4 and 5, 2003**

**Monday, August 4, 2003**

4:00 - 5:00 p.m.

**Legislative Rule-Making Review Committee**

Earl Ray Tomblin, ex  
officio nonvoting member

Robert S. Kiss, ex  
officio nonvoting member

Senate

Ross, Chair

Minard, Vice Chair

Snyder

Unger

Boley

Minear

\_\_\_\_\_  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_

House

Mahan, Chair

Thompson, Rick, Vice Chair

Cann

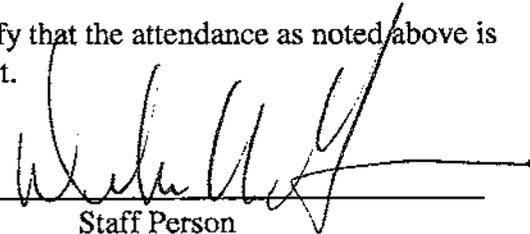
Kominar

Armstead

Faircloth

\_\_\_\_\_  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_

I certify that the attendance as noted above is correct.

  
\_\_\_\_\_  
Staff Person

Rule-Making Review Committee  
Terri Anderson

Please return to Brenda in Room 132-E or Fax to 347-4819.

**TENTATIVE AGENDA**  
**LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**  
**Monday, August 4, 2003**  
**4 p.m. to 5 p.m.**  
**Senate Finance Committee Room, M-451**

1. Approval of Minutes - June 10, 2003
2. Review of Legislative Rules:

*Approved [initials]  
as modified* Division of Natural Resources  
Revocation of Hunting and Fishing License, 58CSR23

- Technical Modifications

*Approved [initials]* Division of Natural Resources  
Special Motorboating Regulations, 58CSR27

- NO Technical Modifications

*Approved [initials]* Division of Natural Resources  
Special Fishing Rule, 58CSR61

- NO Technical Modifications

*Approved [initials]  
as modified* Infrastructure and Jobs Development Council  
Infrastructure and Jobs Development Council, 167CSR1

- Technical Modifications

*Approved [initials]  
as modified* Board of Examiners of Psychologists  
Fees, 17CSR1

- Technical Modifications

*Approved [initials]* State Board of Examiners for Licensed Practical Nurses  
Policies and Procedures for Development and Maintenance of  
Educational Programs in Practical Nursing, 10CSR1

- NO Technical Modifications

Approved *[Signature]*

Division of Health  
Public Water Systems, 64CSR3

- NO Technical Modifications

Approved *[Signature]*

Board of Medicine  
Licensing and Disciplinary Procedures: Physicians;  
Podiatrists, 11CSR1A

- NO Technical Modifications

3. Other Business

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions
Lt Col Bill Daniel	DNR			<input checked="" type="checkbox"/>

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

Mahan Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

*Sanjiv* Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

Maha Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

17CSK1

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

Mahan Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

*Boley votes "No"*

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions
7 Katie Mallory	Exec. Sec.			<input checked="" type="checkbox"/>
Becky McClure				<input checked="" type="checkbox"/>

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

Snyder Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

Suzanne Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions
Vic Wilford				<input checked="" type="checkbox"/>

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

Snyder Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

- DAG
- JAA
- RAP
- CAB
- DEK

Explained the rule.

- Yes
- No

Responded to questions.

- Yes
- No

Modifications?

- Yes
- No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

\_\_\_\_\_ Moved that the rule be (amended/modified) by:

The motion was:

- Adopted
- Disapproved

Mahan Moved that the rule be:

- approved as filed
- approved as modified
- approved as amended
- recommended for withdrawal
- laid over
- moved to the foot of the agenda

REGISTRATION OF PUBLIC  
AT  
COMMITTEE MEETINGS  
WEST VIRGINIA LEGISLATURE

Committee: Legislative Rule-Making Review Date 8/4/03  
Please print or write plainly.

NAME	ADDRESS	REPRESENTING	Please check (X) if you desire to make a statement.
MAYOR D.E. MURPHY	CAPITOL COMPLEX BUILDING 3	DNR - LAW	
Deborah Lewis Rodecker	WUBorn 101 Dee Drive	Board of Medicine	
Tammy Creekshanks	101 Dee Drive	Board of LPNs	
Katy Mallory	300 Summers St Chas.	WV Infrastructure Council	