# 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
- 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

4 p.m. to 5 p.m.

<u>Review Committee</u> (Code §29A-3-10)

Earl Ray Tomblin Robert "Bob" Kiss

ex officio nonvoting member 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.	A.	Legislative Rule-Making Review Committee
Earl Ray Tomblin, ex officio nonvoting member	<i>:</i>	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

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

Division of Natural Resources

Revocation of Hunting and Fishing License, 58CSR23

Technical Modifications

Division of Natural Resources

Special Motorboating Regulations, 58CSR27

NO Technical Modifications

Division of Natural Resources

Special Fishing Rule, 58CSR61

NO Technical Modifications

Infrastructure and Jobs Development Council

Infrastructure and Jobs Development Council, 167CSR1

Technical Modifications

Board of Examiners of Psychologists Fees, 17CSR1

Technical Modifications

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

Division of Health
Public Water Systems, 64CSR3

NO Technical Modifications

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

NO Technical Modifications

#### 3. Other Business

DAG		580	SR 23	
JAA RAP CAB DEK	Explained the rule.			
Yes No	Responded to questi	ons.		
Yes No	Modifications?	Yes A	gency agree	s?
Name	Agency/Company	Title	Address Committee	Responded to Questions
Lt Col Bill Danie	DNR			
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The motion was:	Moved that th	ne rule be (amende	ed/modified)	by:
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	Explained the rule.	58C51	c 27	
RAP CAB DEK	-			
Yes	Responded to question	ns.		
Yes No	Modifications?	Yes Ag No	ency agree	s?
Name	Agency/Company	Title	Address Committee	Responded to Questions
The motion was:	Moved that the	rule be (amendedAdoptedDisapproved	l/modified)	by:
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JAA	Explained the rule.			
RAP				
CAB				
DEK				
Yes	Responded to question	ng		
No	responded to question	14D •		
Yes	Modifications?		gency agree	s?
No	•	No		
Name	Agency/Company	Title	Address	Respon
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	Moved that the	rule be (amende	d/modified)	by:
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The motion was:		Adopted		
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DAG			1705	ei
JAA	Explained the rule.			
RAP	-			
CAB				
DEK				
Yes	Responded to questic	ona		
No	Responded to questi	OIID.		
1/0				
Yes	Modifications?	<del>Ye</del> s A	gency agree	s?
No		No	·	
Name	Agency/Company	Title	Address Committee	Respor to Questi
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	Moved that the	e rule be (amende	d/modified)	by:
The motion was:	Moved that the	Adopted		by:
The motion was:	Moved that the			by:
		Adopted Disapproved		by:
Mahan	Moved that the	Adopted Disapproved e rule be:		
Mahaw approved a	Moved that the	Adopted Disapproved e rule be:		
Mahav approved a approved a	Moved that the s filed s modified	Adopted Disapproved e rule be:		
approved a approved a approved a	Moved that the s filed s modified s amended	Adopted Disapproved e rule be:		
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approved a approved a approved a recommende laid over	Moved that the s filed s modified s amended	Adopted Disapproved e rule be:		

DAG			167CSR1	
JAA RAP	Explained the rule.			
CAB DEK				
Yes No	Responded to question	ons.		
Yes No	Modifications?	Yes No	Agency agree	:s?
Name	Agency/Company	Title	Address Committee	Responde to Question
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The motion was:	Moved that the	e rule be (amen	.ded/modified)	py:
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approved as approved as	modified	e rule be:		
approved as	amended			
laid over	for withdrawal			

\_\_\_\_ moved to the foot of the agenda

DAG			64C5R3	
JAA RAP CAB DEK	Explained the rule.			
Yes No	Responded to questic	ons.		
Yes	Modifications?	Yes Ag	gency agree	es?
Name	Agency/Company	Title	Address Committee	Responded to Questions
Vic Wilford				
V - 0-1 M2 7 M				
	Moved that the	rule be (amended	d/modified)	by:
The motion was:		Adopted Disapproved		
approved as approved as recommended	modified	rule be:		

DAG JAA RAP CAB DEK	Explained the rule.			
Yes	Responded to question	ıs.		
Yes	Modifications? _	Yes Ag	gency agree	es?
Name	Agency/Company	Title	Address Committee	Responded to Questions
	Moved that the	rule be (amended	I/modified)	by:
The motion was:	- -	Adopted Disapproved		
laid over	modified	rule be:		

# REGISTRATION OF PUBLIC

## COMMITTEE MEETINGS WEST VIRGINIA LEGISLATURE

NAME	ive Kule-Making *	REPRESENTING	Please check (X) if you desire to make
			a statement
MATOR D. E. Mush	of Buchall 3	DNR-LAU	
Mo JOR D. E. Muzz Deborah Lewis Rode	of Buildon 3  ON WUBOM  Char loi Dee Drive	Board of Medicine	·
Tammy Crookshants	101 Dec Drive	Board of LPNs	
Kody Mallory	300 Summers St Chas.	WY Infrestructure Council	
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LS-C-66-1a Revised 1-10-97