

Legislative Rule-Making Review Committee

Senate Judiciary Committee Room

Minutes for Wednesday, August 13, 2025

9:00 a.m. to 5:00 p.m.

Senate

Rucker, Chair	Present
Helton	Present
Matin	
Maynard	Present
Thorne	Present
Woelfel	
Smith, Nonvoting	

House

Smith, Chair	Present
Fehrenbacher	Present
Hornby	Present
Jeffries	
Kyle	Present
Young	Present
Hanshaw, Nonvoting	

The Legislative Rule-Making Review Committee met in the Senate Judiciary Committee Room at 9:00 a.m. on Wednesday, August 13, 2025. The meeting was called to order by the Chair, Senator Rucker. A silent roll call was taken by the Clerk to establish a quorum, as reflected above. Staff present included: Phillip Childs, Joint Committee Counsel; Adair Burgess, Director of Legislative Rule-Making Review Committee; and Felisha Sutherland, Committee Clerk.

Chairman Rucker recognized Delegate Smith for the purpose of a motion to approve the Procedural Rules Governing the Legislative Rule-Making Review Committee. The motion was adopted.

Delegate Smith request unanimous consent that 145 CSR 16, 106 CSR 21, 65 CSR 29, 114 CSR 02A, 114 CSR 25, 114 CSR 64, 179 CSR 10, 56 CSR 08, 91 CSR 25, 211 CSR 02, 58 CSR 46, 58 CSR 50, 58 CSR 56, 24 CSR 09, 150 CSR 37, 178 CSR 10, 198 CSR 01, 153 CSR 10, 110 CSR 13GG, 110 CSR 13II, 25 CSR 03, and 9 CSR 04 be considered simultaneously.

Phillip Childs, Joint Committee Counsel, explained his abstracts on the following proposed rules and responded to questions from the Committee:

1. **West Virginia Economic Development, *Tourism Development Districts*, [145 CSR 16](#).**

2. Division of Financial Institutions, Fintech Regulatory Sandbox Program, [106 CSR 21](#).
3. West Virginia Health Care Authority, Exemption of Certificate of Need, [65 CSR 29](#).
4. Offices of the Insurance Commissioner, *Fingerprinting Requirements for Applicants for Insurance Producer and Insurance Adjuster License*, [114 CSR 02A](#).
5. Offices of the Insurance Commissioner, *Insurance Adjusters*, [114 CSR 25](#).
6. Offices of the Insurance Commissioner, *Mental Health Parity*, [114 CSR 64](#).
7. West Virginia Lottery, *Interactive Wagering Rule*, [179 CSR 10](#).
8. West Virginia Office of Miners' Health, Safety, and Training, *Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia*, [56 CSR 08](#).
9. Division of Motor Vehicles, *Special Purpose Vehicles*, [91 CSR 25](#).
10. Municipal Pensions Oversight Board, *Exempt Purchasing*, [211 CSR 02](#).
11. Division of Natural Resources, *Defining the Terms Used in All Hunting and Trapping*, [58 CSR 46](#).
12. Division of Natural Resources, *Deer Hunting*, [58 CSR 50](#).
13. Division of Natural Resources, *Special Migratory Game Bird Hunting*, [58 CSR 56](#).
14. West Virginia School of Osteopathic Medicine, *Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness*, [24 CSR 09](#).
15. Public Service Commission, *Rules Governing the Occupancy of Customer-Provided Conduit*, [150 CSR 37](#).
16. West Virginia Racing Commission, *Advance Deposit Account Wagering (ADW)*, [178 CSR 10](#).
17. Division of Rehabilitation Services, *Ron Yost Personal Assistance Services Act Board*, [198 CSR 01](#).

18. Secretary of State, *Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services, and Upgrades*, [153 CSR 10](#), and responded to questions from the Committee.

19. State Tax Department, *Downstream Natural Gas Manufacturing Investment Tax Credit*, [110 CSR 13GG](#).

20. State Tax Department, *High-Wage Growth Business Tax Credit*, [110 CSR 13II](#).

21. West Virginia Board of Social Work Examiners, *Fee Schedule*, [25 CSR 03](#).

22. West Virginia Board of Landscape Architects, *Application of Waiver of Initial Licensing Fees for Certain Individuals*, [9 CSR 04](#).

On motion of Delegate Smith, the above rules were considered simultaneously and approved as filed.

23. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by State Tax Department, *Soft Drink Tax*, [110 CSR 19](#).

On motion of Delegate Smith, the rule was approved as filed.

24. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by West Virginia Board of Risk and Insurance Management, *Preferred Medical Liability and High-Risk Medical Liability Program*, [115 CSR 06](#).

On motion of Delegate Smith, the rule was approved as filed.

25. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by Offices of the Insurance Commissioner, *Premium Financing of Life Insurance for College Students*, [114 CSR 07](#).

On motion of Delegate Smith, the rule was approved as filed.

26. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by Offices of the Insurance Commissioner, *Mass Marketing of Property and Liability Insurance*, [114 CSR 09](#).

On motion of Delegate Smith, the rule was approved as filed.

27. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by Offices of the Insurance Commissioner, *Advertisement of Accident and Sickness Insurance*, [114 CSR 10](#).

On motion of Delegate Smith, the rule was approved as filed.

28. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, *Continuing Education*, [18 CSR 02](#)**.

On motion of Delegate Smith, the rule was approved as filed.

29. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Division of Motor Vehicles, *Motor Vehicle Equipment*, [91 CSR 11](#)**.

On motion of Delegate Smith, the rule was approved as filed.

30. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Division of Natural Resources, *Rules Governing Small Arms Hunting*, [58 CSR 14](#)**.

On motion of Delegate Smith, the rule was approved as filed.

31. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Offices of the Insurance Commissioner, *Credit for Reinsurance*, [114 CSR 40](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

32. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Department of Agriculture, *West Virginia Grades and Standards for Apples*, [61 CSR 08](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

33. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Department of Agriculture, *Licensing of Livestock Dealer*, [61 CSR 11H](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

34. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Department of Agriculture, *WV Exempted Dairy Farms and Milk and Milk Products Processing Rules*, [61 CSR 40](#)**, and responded to questions from the Committee.

With leave of the Committee, Amy Minor, Assistant Commissioner with the Department of Agriculture, responded to questions from the Committee.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

35. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **West Virginia Board of Risk and Insurance Management, *Mine Subsidence Insurance*, [115 CSR 01](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

36. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Office of Technology, *Cyber Reporting*, [163 CSR 03](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

37. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **State Emergency Response Commission, *Emergency Planning and Community Right-To-Know*, [55 CSR 01](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

38. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **State Tax Department, *Tax Credit for Providing Vehicles to Low-Income Workers*, [110 CSR 13FF](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

39. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **Offices of the Insurance Commissioner, *Insurance Holding Company Systems*, [114 CSR 35](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

40. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, *West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners*, [18 CSR 01](#)**, and responded to questions from the Committee.

With leave of the Committee, Jamie Browning, Executive West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, responded to questions from the Committee.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

41. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, *Standards of Ethics*, [18 CSR 05](#)**, and responded to questions from the Committee.

With leave of the Committee, Jamie Browning, Executive West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, responded to questions from the Committee.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

42. Phillip Childs, Joint Committee Counsel, explained his abstract on the proposed rule by **West Virginia Boar of Occupational Therapy, *Continuing Education and Competence*, [13 CSR 04](#)**.

On motion of Delegate Smith, the agency agreed to modifications were adopted.

On motion of Delegate Smith, the rule was approved as modified.

Chairman Rucker announced that the next Legislative Rule-Making Review Committee meeting will be held on September 10th.

With no further business to come before the Committee, Delegate Smith moved to adjourn. The motion was adopted.