

DECEMBER 3

AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Monday, December 3, 1990, 2:00 - 4:00 p.m.

COMMITTEE MEETING ROOM, M-438

1. Approval of Minutes - Meeting November 14, 1990.
2. Review of Legislative Rules:
 - a. Attorney General - Proposed legislative rule pertaining to the regulated business exemption under the West Virginia Antitrust Act
 - b. Attorney General - Proposed legislative rule pertaining to defining the term "federal antitrust laws" and prohibiting tying and reciprocity
 - c. Division of Culture and History - Standards and Procedures for Granting Permits to Excavate Archaeological Sites and Unmarked Graves
 - d. West Virginia Board of Medicine - Licensing, Certification, Disciplinary and Complaint Procedures, Physicians; Podiatrist; Physician Assistants
 - e. West Virginia Hospital Finance Authority - Establishment of Fee Schedule and Cost Allocations Applicable to the Issuance of Bonds by the West Virginia Hospital Finance Authority
 - f. State Fire Commission - State Fire Code
 - g. Department of Transportation, Division of Highways - Traffic and Safety Rules and Regulations
 - h. Insurance Commissioner - AIDS Regulations
 - i. Racing Commission - Thoroughbred Racing Rules
 - j. Water Resources Board - Requirements Governing Water Quality Standards
 - k. Department of Administration: Information Services and Communications - Plan of Operation
 - l. Department of Administration - Parking
 - m. Department of Administration - Leasing Space on Behalf of State Spending Units
3. Other Business:

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: Dec. 3, 1990

TIME: 2:00 - 4:00 pm.

NAME

Chambers, Robert "Chuck", Speaker
 Roop, Jack, Co-Chair
 Buchanan, Michael
 Burk, Robert W., Jr.
 Faircloth, Larry V.
 Grubb, David
 Starcher, Virginia

 Burdette, Keith, President
 Jackson, Lloyd, II, Co-Chair
 Chafin, Truman H.
 Manchin, Joe, III
 Tomblin, Earl Ray
 Warner, George
 Wiedebusch, Larry
 TOTAL

Present	Absent	Yeas	Nays
✓			
	✓		
	✓		
✓			
✓			
✓			
	✓		
✓			
	✓		
	✓		
	✓		
	✓		

RE: Cancelled - Lack of quorum

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

COMMITTEE: Rule Making Review

DATE: Dec 3, 1990 2:00-4:00 p.m.

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
Please print or write plainly			
DIANA STOUT	CAPITOL, E-119	ADMINISTRATION	
Karen Patera	910 Quarrier St.	Hosp. Finance Auth.	
Donna Quesenberry	812 Quarrier St.	Attorney General	
JAMES Fife	White Sulphur Springs	Chairman, St. Fire Commission	
WALTER SMITH, III	Charleston, WV	State Fire Marshal	
Alan Cuervo	Bldg. 5, Rm 215, Capitol	Division of Highways	
Gil Delaura		WV Hospital Assoc	
Wanda Wacy	312 Mae Corkle Ave, Ches	WV Racing Comm	
Jan Taylor	1260 Greenbrier St.	WV Water Resources Board	
Greg Nicholas	E-110 Capitol	Administration/Leasing	
Bill FARMAN	CULTURAL CENTER	Div. Cult & History	

EMERGENCY RULES IN EFFECT ON DECEMBER 15, 1990

<u>TITLE</u>	<u>AGENCY</u>	<u>SERIES</u>	<u>RULE TITLE</u>	<u>FILED</u>
148	Administration	6	Parking (New Rule)	August 17, 1990
61	Agriculture	1	Animal Disease Control (Amendments)	July 10, 1990
45	Air Pollution Control Comm.	22	Air Quality Management Fee Program (Amendments)	August 13, 1990
175	Alcohol Bev. Control Comm.	1	Retail License Operations (Amendments)	June 25, 1990 Amendments July 3, 1990 August 1, 1990
175	Alcohol Bev. Control Comm.	2	Private Club License (Amendments)	June 26, 1990 Amendments August 1, 1990
175	Alcohol Bev. Control Comm.	3	Farm Wineries (Amendments)	July 3, 1990 Amendments August 10, 1990
175	Alcohol Bev. Control Comm.	4	Retail Sale of Wine in Grocery Stores, Wine Speciality Shops & Private Wine Restaurants (Amendments)	July 3, 1990 Amendments August 10, 1990
175	Alcohol Bev. Control Comm.	5	Licensing of Retail Liquor Stores (New Rule)	June 25, 1990 Amendments August 1, 1990
175	Alcohol Bev. Control Comm.	6	Bailment Policies & Procedures (New Rule)	June 26, 1990 Amendments August 1, 1990
2	Architects	1	Rules of the WV Board of Architects (Amendments)	May 23, 1990
176	Beer Comm.	1	Nonintoxicating Beer Licensing & Operations Procedures (Amendments)	July 3, 1990 Amendments Sept. 10, 1990
187	Cable TV	1	Franchising (New Rule)	August 17, 1990 Amendments October 3, 1990

<u>TITLE</u>	<u>AGENCY</u>	<u>SERIES</u>	<u>RULE TITLE</u>	<u>FILED</u>
187	Cable TV	2	Implementing Regs (New Rule)	August 17, 1990
160	Court of Claims	1	Practice & Procedure of Crime Victims Compensation Fund (New Rule)	August 9, 1990
5	Dental Examiners	1	Rules & Regs of WV Bd. of Dental Examiners (Amendments)	July 27, 1990
87	Fire Comm.	4	State Building Code (Amendments)	June 29, 1990
64	Health	3	Public Water Systems Bottled Water & Lab Certification (Amendments)	April 27, 1990 Amendments Sept. 28, 1990
64	Health	11	Licensure of Behavioral Health Centers (Amendments)	April 27, 1990
64	Health	30	Fees for Permits (Amendments)	July 23, 1990 Amendments Sept. 5, 1990
64	Health	32	Vital Statistics (Amendments)	November 5, 1990
64	Health	51	Fees for Services (New Rule)	July 10, 1990
64	Health	66	Specialized Health Procedures in Public Schools (New Rule)	August 9, 1990
65	Health Care Cost Review Authority	16	Exemption for Shared Services (New Rule)	June 11, 1990 Amendments July 30, 1990
65	Health Care Cost Review Authority	17	Health Services Offered by Health Professionals (New Rule)	June 19, 1990
65	Health Care Cost Review Authority	18	Conversion of Acute Care Beds to 100 Skilled Nursing Care Beds (New Rule)	July 16, 1990
157	Highways	5	Traffic & Safety Rules (Amendments)	April 25, 1990

<u>TITLE</u>	<u>AGENCY</u>	<u>SERIES</u>	<u>RULE TITLE</u>	<u>FILED</u>
116	Hospital Finance Authority	1	Establishment of Fee Schedule & Cost Allocations Applicable to the Issuance of Bonds by the WV Hospital Finance Authority (Amendments)	May 11, 1990
77	Human Rights	1	Discrimination Against the Handicapped (Repeal & Replace)	February 26, 1990
77	Human Rights	3	Religious Discrimination (New Rule)	November 16, 1990
77	Human Rights	4	Sexual Harassment (New Rule)	November 16, 1990
77	Human Rights	5	Exemption of Private Clubs (New Rule)	November 16, 1990
26	Insurance	26	Accident & Sickness Rate Filing (New Rule)	August 14, 1989
26	Insurance	29	Health Insurance Benefits for Tempor-mandibular & Cranio-mandibular Disorders (New Rule)	August 1, 1990
94	Jail & Correctional Facility Authority, Reg.	4	Regs Relating to Public Hearings & Site Selection for Private Prison (New Rule)	July 18, 1990
42	Labor	19	WV Manufactured Housing Construction & Safety Board (New Rule)	April 20, 1990
23	Land Surveyors	1	Rules & Regs for the Practice of Land Surveying in WV (Amendments)	November 6, 1989
11	Medicine	4	Fees for Services Rendered by Bd. of Medicine (New Rule)	July 9, 1990
48	Mines Training Ed. & Cert.	5	Standards for Certification of Blasters for Surface Coal Mines (Amendments)	June 12, 1990 Amendments Dec. 14, 1990

<u>TITLE</u>	<u>AGENCY</u>	<u>SERIES</u>	<u>RULE TITLE</u>	<u>FILED</u>
47	Natural Resources	4	Assessment of Civil Penalties (New Rule)	March 29, 1990
47	Natural Resources	26	Water Pollution Control Permit Fee Schedules (Repeal & Replace)	June 1, 1990
47	Natural Resources	36	Underground Storage Tank Tegn (Amendments)	July 10, 1990
47	Natural Resources	37A	Underground Storage Tank Insurance Trust Fund (New Rule)	March 28, 1990
143	Personnel	1	Adm. Rules & Regs of WV Civil Service System (Amendments)	November 15, 1989 Amendments August 6, 1990
81	Public Safety	1	Career Progression System (Repeal & Replace)	May 30, 1990 Amendments August 9, 1990
81	Public Safety	4	Modified Vehicle Inspection (New Rule)	Sept. 11, 1990
148	Purchasing Div	1	Purchasing (Amendments)	August 7, 1990
148	Purchasing Div.	5	Availability of State Surplus Buildings & Equipment to Charity Food Banks (New Rule)	June 26, 1990
178	Racing Commission	1	Thoroughbred Rules (Amendments)	May 16, 1990 Amendments June 25, 1990 Sept. 25, 1990
178	Racing Commission	2	Greyhound Rules (Amendments)	December 8, 1989 Amendments Sept. 25, 1990
153	Secretary of State	23	Absentee Voting by Military Voters Who Are Called to Active Duty (New Rule)	Sept. 28, 1990
54	Solid Waste Management Board	1	Disbursement of Loans, Grants to Governmental Agencies for Acquisition or Construction of Solid Waste Disposal Projects (New Rule)	August 8, 1990

<u>TITLE</u>	<u>AGENCY</u>	<u>SERIES</u>	<u>RULE TITLE</u>	<u>FILED</u>
54	Solid Waste Management Board	2	Estimated Fee Schedule, Cost Allocations Applicable to Issuance of Bonds (New Rule)	August 8, 1990
54	Solid Waste Management Board	3	Development of Comprehensive Litter & Solid Waste Control Plans (New Rule)	October 23, 1990
54	Solid Waste Management Board	4	Development of Commercial Solid Waste Facility Siting Plans (New Rule)	October 23, 1990
110	Tax	13C	Business Investment & Jobs Expansion, Corporation Headquarters Relocation and Small Business Tax Credits (New Rule)	Sept. 6, 1990
144	Tourism & Parks	1	Public Use of WV State Parks, State Forests, & State Hunting & Fishing Areas Under the Division of Tourism & Parks (Amendments)	November 7, 1990
46	Water Resources	46	Water Quality Standards (Amendments)	June 13, 1990 Amendments November 7, 1990