

**AUGUST**



Tuesday, August 19, 1997

1:30 p.m. to 3:30 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  
Anderson, Vice Chairman  
Bowman  
Macnaughtan  
Boley  
Buckalew

Hunt, Chairman (Absent)  
Linch, Vice Chairman  
Compton  
Jenkins  
Faircloth  
Riggs

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

The minutes of the February 10, and February 11, 1997 meetings were approved.

Mr. Ross stated that the Committee would place the State Fire Commission rule, **State Building Code**, at the top of the agenda to accommodate people from around the state who desired to speak on the rule. Debra Graham, Committee Counsel, explained that the height and width of stairs requirement in the legislative rule is creating problems for the manufactured housing industry. Delegate Vicki Douglas, Steve Snyder, Executive Director, Mid-Atlantic Building Systems Council; Senator John Hunter, and William Teach, Berkeley County Commission, spoke in favor of amending the legislative rule to provide relief to the manufactured housing industry.

Mr. Faircloth moved that Committee staff be directed to draft a letter to the Secretary of State requesting a favorable emergency rule decision when the State Fire Commission files the proposed amendment as an emergency rule. The motion was adopted.

Mr. Ross called on Gordon Robertson, Deputy Chief, Wildlife Resources Section of the Division of Natural Resources, who stated that he wanted the Committee to be aware of the fact that the Division of Natural Resources rule, **Falconry**, which the Legislature approved during the last session, does not meet the requirements of the U.S. Fish and Wildlife Service. He stated that a proposed rule containing the necessary amendments would be put out for public hearing as soon as possible and requested that, if possible, the Committee consider the proposed rule prior to the 1998 session.

Ms. Graham explained, that as a matter of course, the Committee each year requests permission from the Joint Committee on Government and Finance to meet at times other than the regular interim periods, when the workload of the Committee makes it necessary. She requested permission from the Committee to make that request to the Joint Committee.

Mr. Linch moved that the Committee request authorization from the Joint Committee on Government and Finance to meet at other times other than during interim meetings, when necessary. The motion was adopted.

Ms. Graham also requested authorization from the Committee to mail copies of the section of the *Bill Drafting Manual* regarding preferred usage of language to all agencies, boards and commissions which file rules with the Committee, with a letter from the Committee stating that proposed rules are to be drafted in accordance with that section of the *Bill Drafting Manual*.

Mr. Buckalew moved that the Committee send copies of the preferred usage language section to all agencies, boards and commissions with the request that they follow the guidelines when drafting proposed rules. The motion was adopted.

Ms. Graham explained the rule proposed by the Division of Natural Resources, **Contracted Extraordinary Law Enforcement Services**, and stated that the Division had agreed to technical modifications. Lt. Colonel W. B. Daniel, Deputy Chief, Law Enforcement Section of the Division of Natural Resources, responded to questions from the Committee.

Mr. Linch 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, **General Hunting Regulations**, and stated that the Division has agreed to technical modifications.

Mr. Robertson and Lt. Colonel Daniel answered questions from the Committee.

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

Ms. Graham explained the rule proposed by the Division of Natural Resources, **Prohibitions When Hunting and Trapping**. Mr. Robertson and Lt. Colonel Daniel responded to questions from the Committee.

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

Ms. Graham reviewed her abstract on the rule by the Division of Natural Resources, **Special Boating Rules**.

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

Ms. Graham explained the rule proposed by the Division of Natural Resources, **Special Boating Rule for Jennings Randolph Lake**, and stated that the Division has agreed to technical modifications.

Ms. Graham and Lt. Colonel Daniel responded to questions from the Committee.

Mr. Buckalew 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 Fishing Rule**.

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

Ms. Graham explained the rule proposed by the Division of Natural Resources, **Special Migratory Bird Hunting Regulations**, and stated that the Division has agreed to technical modifications.

Mr. Robertson answered questions from the Committee.

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

Ms. Graham explained her abstract of the rule proposed by the Division of Natural Resources, **Special Waterfowl Hunting Rule**, and stated that the Division has agreed to technical modifications.

Mr. Riggs 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, **Wild Turkey Regulations**, and stated that the agency has agreed to technical modifications. Mr. Robertson responded to questions from the Committee.

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

Ms. Graham explained the rule proposed by the Treasurer's Office, **Establishment of Imprest Funds** and stated that the Treasurer's Office has agreed to technical modifications. Mr. Anoop Bhasin, General Counsel, and Glenda Probst, Deputy Treasurer of the Cash Management Office of the Treasurer's Office, answered questions from the Committee.

Mr. Anderson moved that the proposed rule lie over until the Committee's next meeting and that a representative of the state's colleges and universities be requested to attend the meeting regarding check cashing fees. The motion was adopted.

Ms. Graham explained the rule proposed by the Treasurer's Office, **Procedure for Deposit of Moneys With the State Treasurer's Office by State Agencies**, and stated that the Treasurer's Office has agreed to technical modifications.

Ms. Compton moved that the Committee reconsider its action whereby it laid over the rule proposed by the Treasurer's Office, **Establishment of Imprest Funds**, until the next meeting. After further discussion, Ms. Compton asked unanimous consent to withdraw her motion. There being no objection, the motion was withdrawn.

Ms. Proost and Mr. Bhasin responded to questions from the Committee on the rule relating to procedures for deposit of moneys with the State Treasurer's Office by state agencies.

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

Ms. Graham explained the rule proposed by the Treasurer's Office, **Procedure for Processing Payments from the State Treasury**, and stated that the Treasurer's Office has agreed to technical modifications.

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

The meeting was adjourned.

Tuesday, August 19, 1997

1:30 - 3:30 p.m.

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

Senate Finance Room

Earl Ray Tomblin, ex  
officio nonvoting member

Robert S. Kiss, ex  
officio nonvoting member

Senate

House

- ✓ Ross, Chair
- ✓ Anderson, Vice Chair
- ✓ Bowman
- ✓ Macnaughtan
- Boley
- ✓ Buckalew

- Hunt, Chair
- ✓ Lynch, Vice Chair
- ✓ Compton
- ✓ Jenkins
- ✓ Faircloth
- ✓ Riggs

Called to order by Mr. Ross.

Council explained issue w/ State Fire Commission, State Bldg Code. Vicki Douglas spoke in favor of the amendments.

Steve Snyder - Mid Atlantic Bldg<sup>systems</sup> Council - spoke in favor of the amendments

Senator Hunter spoke in favor of the amendments

William Teach Berkeley Cnty " " " "

letter to Sec of State - approve emerg rules

Faircloth

Gordon  
Robertson

DNR - Falconry Rules - US Fish & Wildlife Serv. reqs amendments to rule are req'd

Lynch  
Buckalew

Reg. Jt. Comm  
Preferred Usage

DNR - Contracted

I explained

Col Daniel responded to questions from the C.

Lynch  
Adopted

Approve as mod

minutes approved

DNR - Genes & Hunting

Farrington  
Adopted

Approve as mod  
Gordon Robertson and questions from the C

DNR - Prohibitions

Bull Creek  
Adopted

Gordon & Daniels responded to questions.

Approve

DNR - Special Boating

Bowman  
Adopted

Approve

DNR - Jennings Randolph

Buckalew  
Adopted

Daniels explained history & responded to questions.

Approve as mod

DNR - Spec.

Compton  
Adopted

Approve

DNR - Migratory

Compton  
Adopted

Gordon and questions

Approve as mod

DNR - Spec Waterfowl

Biggs  
Adopted

Approve as mod

DNR - Wild Turkey

Buckalew  
Adopted

Gordon and questions

Approve as mod

Treasurer - Imprest Funds

Olenda Probst } responded to questions  
Anoop K. Bhasin }

Anderson  
Adopted

Lay over til next meeting - Nobby rep of State Colleges & Universities

Treasurer - Procedures for Deposit

Probst & Bhasin ans'd questions

Compton  
W/drew

Reconsider last rule → discussion

Buckley  
adopted

Approve as modified

~~Adopted~~ Treasurer - Procedures for Processing  
Adopted

Approve as mod



## *Agenda*

### LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Tuesday, August 19, 1997

1:30 p.m. to 3:30 p.m.

Senate Finance Committee Room M-451

1. **Approval of Minutes**
2. **Review of Legislative Rules:**
  - a. Division of Natural Resources  
*Contracted Extraordinary Law Enforcement Services (58CSR13)*
  - b. Division of Natural Resources  
*General Hunting Regulations (58CSR49)*
  - c. Division of Natural Resources  
*Prohibitions When Hunting and Trapping (58CSR47)*
  - d. Division of Natural Resources  
*Special Boating Rules (58CSR26)*
  - e. Division of Natural Resources  
*Special Boating Rule for Jennings Randolph Lake (58CSR29)*
  - f. Division of Natural Resources  
*Special Fishing Rule (58CSR61)*
  - g. Division of Natural Resources  
*Special Migratory Bird Hunting Regulations (58CSR56)*
  - h. Division of Natural Resources  
*Special Waterfowl Hunting Rule (58CSR58)*
  - i. Division of Natural Resources  
*Wild Turkey Regulations (58CSR51)*
  - j. Treasurer's Office  
*Establishment of Imprest Funds (112CSR3)*
  - k. Treasurer's Office  
*Procedure for Deposit of Moneys with the State Treasurer's Office  
by State Agencies (112CSR4)*

(over)

- l. Treasurer's Office  
*Procedure for Processing Payments from the State Treasury (112CSR8)*
- m. Treasurer's Office  
*Rules for the Reporting of State Debt to the State Treasurer's Office (112CSR10)*
- n. Treasurer's Office  
*Rules for Reporting Debt Capacity (112CSR9)*
- o. Treasurer's Office  
*Selection of State Depositories for Disbursement Accounts Through Competitive Bidding (112CSR6)*
- p. Treasurer's Office  
*Selection of State Depositories for Receipt Account (112CSR7)*
- q. Miner Training, Education and Certification  
*Safety Training Program for Prospective Surface Coal Miners in WV (48CSR3)*
- r. Soil Conservation Agency  
*State Soil Conservation Committee Regulations (63CSR1)*
- s. Division of Health  
*Sewage Systems (64CSR9)*
- t. Department of Agriculture  
*Inspection of Meat and Poultry (61CSR16)*
- u. Division of Banking  
*Permissible Additional Charges in Connection with a Consumer Credit Sale (106CSR11)*
- v. Division of Banking  
*Sale of Insurance Products by State-Chartered Banks (106CSR2)*
- w. Cable Television Advisory Board  
*Implementing Rule (187CSR1)*

### 3. Other Business

- a. State Fire Commission - State Building Codes  
Speakers: Senator John Hunter  
Mr. Steve Snyder - *Exec. Director, Mid-Atlantic Building Systems Council*  
Delegate Vicki Douglas
- b. Division of Natural Resources - Falconry Rule  
Speaker: Gordon Robertson - *Deputy Chief, Wildlife Resources Section*



**EASTERN PANHANDLE  
HOME BUILDERS  
ASSOCIATION**



A MEMBER OF THE HOME BUILDERS ASSOCIATION OF WEST VIRGINIA

Post Office Box 1706 ■ Martinsburg, West Virginia 25402 ■ Phone/Fax: (304) 267-4710

July 15, 1997

The Honorable Vicki V. Douglas  
West Virginia House of Delegates  
1003 Chestnut Dr.  
Martinsburg, WV 25401

Dear Delegate Douglas:

The Eastern Panhandle Home Builders Association would like to express our appreciation to you for meeting with interested builders and listening to concerns regarding the new building codes, changes in stair geometry and related issues. Your willingness to work with builders, government officials and other legislators to reach a reasonable solution is commendable.

Concerns regarding the new requirement for stair geometry have a multiple affect on West Virginians. First, builders in West Virginia must reconfigure floor plans to accommodate longer stairs which particularly affects smaller square footage, stick-built homes and manufactured housing. In many cases the only alternative is to increase the square footage of the already price sensitive new home. Then, the increased cost of the changes is passed from the builder to the consumer in some form by higher prices. Many smaller size homes are built for and purchased by first time home buyers and others with limited budgets. I'm sure you can see the possible benefit changes in the current building codes for stairs could have for all involved. (It should also be noted that studies show the requirements in the current code do not provide an appreciable increase in safety of the stairs.)

It does appear that a viable solution is at hand and we ask that you convey our concerns to the co-chairs of the Rules Committee.

On behalf of over 90 members of the Eastern Panhandle Home Builders Association, please accept our gratitude for the time and work you and others have invested to reach an acceptable option we can all live with.

Sincerely,

*David Hartley*

David Hartley  
Executive Officer

cc: Ms. Sally Johnston, President, Eastern Panhandle HBA  
Ms. Beth Thomasson, Executive Officer, Home Builders Association of West Virginia



**EASTERN PANHANDLE  
HOME BUILDERS  
ASSOCIATION**



A MEMBER OF THE HOME BUILDERS ASSOCIATION OF WEST VIRGINIA

Post Office Box 1706 ■ Martinsburg, West Virginia 25402 ■ Phone/Fax: (304) 267-4710

July 08, 1997

The Honorable Vicki Douglas  
West Virginia House of Delegates  
1003 Chesnut Dr.  
Martinsburg, WV 25401

Dear Delegate Douglas :

The Eastern Panhandle Home Builders Association would like to express appreciation for your time and efforts regarding the new building codes and concerns over stair geometry and related issues. Your willingness to work with builders, legislators and other government officials to work out a reasonable solution is commendable. The July 7th meeting was a good opportunity to voice concerns and develop options for a solution. It appears a plan is underway that will effectively deal with the problem; we will be following the progress with interest.

On behalf of over 90 members of the Eastern Panhandle Home Builders Association, please accept our gratitude for your time and work to reach an acceptable option we can all live with.

Sincerely,

David Hartley  
Executive Officer

cc: Ms. Sally Johnston, EPHBA President

**MID-ATLANTIC**  
**BUILDING SYSTEMS COUNCIL**  
**BUILDING FOR TOMORROW**

3029 North Front Street  
Suite 301  
Harrisburg, PA 17110  
717-238-9130  
FAX 717-238-9156

July 11, 1997

William Spencer, Chairman  
West Virginia State Fire Commission  
465 West Main  
Clarksburg, West Virginia 26301

Dear Mr. Spencer,

I appreciated the opportunity to meet you last week, at the meeting of the Berkeley County Commissioners regarding the West Virginia building code. As your aware, the new stair geometry recently adopted in the West Virginia building code is extremely damaging to the housing industry, and specifically the modular housing industry.

I am enclosing copies of correspondence previously sent to the State Fire Marshall and more recently, to a member of the Commission who I spoke with on the telephone. This correspondence outlines in considerable detail, problems created by this new stair geometry, and the lack of conclusive evidence that the new stair is any safer than the stair contained in the previous code. I am also including a table outlining the action taken in other states regarding the new stair. As you will note, West Virginia is the only state within the 19-state area that our Association covers, and to my knowledge throughout the United States that has adopted this new stair.

With this information in mind, and a based on the outcome of our July 7, 1997 meeting, we would like to respectfully request the Commission recommend an Emergency Rule, setting aside the new stair, and reinstating the previous 8 1/4" x 9" stair geometry at the August 8, 1997 meeting. I will be unable to attend this meeting, due to a scheduling conflict; however, it is my understanding that other members of our industry will be in attendance. I am planning to attend the meeting of the Legislative Rule-Making Review Committee during the week of August 18, at which time we hope the Committee will consider an Emergency Rule to change the stair geometry.

If you have any questions, or if I may be of further assistance please feel free to contact me.

Sincerely,



Steve Snyder  
Executive Director

Enclosures

cc: Senator Michael Ross, Chairman, Legislative Rule-Making Review Committee  
Delegate Larry V. Faircloth, Legislative Rule-Making Review Committee  
Senator Herb Snyder, West Virginia State Senate  
Senator Jon Hunter, West Virginia State Senate  
Senator Harry E. Dugan, West Virginia State Senate  
Delegate Vicki V. Douglas, West Virginia House of Delegates  
Debra Graham, Council, Legislative Rule-Making Review Committee  
Walter Smittle, III, State Fire Marshall  
Francis Guffey, R.A., Assistant Fire Marshall  
Beth Thomasson, West Virginia Home Builders Association  
Dan Baldwin, Grafton Homes  
Dave Gwinn, Foremost Industries  
MABSC Manufacturers

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**BUILDING SYSTEMS COUNCIL**  
**BUILDING FOR TOMORROW**

3029 North Front Street  
Suite 301  
Harrisburg, PA 17110  
717-238-9130  
FAX 717-238-9156

July 11, 1997

The Honorable Vicki V. Douglas, Delegate  
West Virginia House of Delegates  
1003 Chestnut Drive  
Martinsburg, West Virginia 25401

Dear Delegate Douglas:

I appreciated the opportunity to meet you this week, and to participate in the meeting of the Berkeley County Commissioners regarding the West Virginia building code and stair geometry. On behalf of our entire industry, I would like to sincerely thank you for taking an interest in this issue.

As I mentioned in the meeting, I accept responsibility for not being in closer contact with the members of the Legislative Rule-Making Review Committee to inform them of how damaging the new stair geometry is to the residential housing industry. We had corresponded with the West Virginia Fire Commission, regarding our opposition to the new stair geometry. However, I was unaware this issue was under consideration by the legislature. For this reason, we are extremely grateful for your willingness to reconsider the building code, after it has already gone through the rule-making review process.

To that end, we would like to respectfully request the committee's consideration of an Emergency Rule, to set aside the new stair geometry and reinstate the 8 1/4" x 9" geometry contained in the previous code, at the earliest date possible. In speaking with the Senate Chairman of the Committee, Senator Ross, I understand that the Committee is scheduled to meet during the week of August 18. I am looking forward to attend that meeting, and will be available to provide any information on the industry to the Committee.

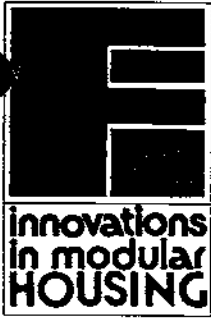
Again, I would like to thank you for taking time out of your busy schedule to participate in the meeting, and for your interest and support in the housing industry. Your efforts will help considerably, to keep housing affordable to the residents of West Virginia. If I may be of further assistance, please feel free to contact me.

Sincerely,

*STEVE*

Steve Snyder  
Executive Director

cc: Senator Michael Ross, Chairman, Legislative Rule-Making Review Committee  
Senator Jon Hunter, West Virginia State Senate  
Dan Baldwin, Grafton Homes  
Dave Gwinn, Foremost Industries



# FOREMOST Industries Incorporated

2375 Buchanan Trail West • Greencastle, PA 17225 • Telephone: (717) 597-7166 • FAX: (717) 597-5579

*See the difference quality really makes ... from the people who care.*

July 16, 1997

The Honorable Vicki V. Douglas, Delegate  
West Virginia House of Delegates  
1003 Chestnut Drive  
Martinsburg WV 25401

Dear Delegate Douglas:

I appreciated the opportunity to speak with you during our recent telephone conversation. As you know, Foremost Industries is a modular home builder with a manufacturing plant in Martinsburg, WV which employs approximately 90 employees, and two other facilities in Pennsylvania for a total of approximately 275 employees.

With our corporate office located in Pennsylvania, our affiliation with builders organizations and communication with state legislators falls mainly in Pennsylvania. For this reason, we were unaware of the fact that the legislative rule making review committee was moving to adopt the latest version of the BOCA Building Code, unamended, as the statewide building code for West Virginia. The new stair geometry contained in this latest edition will be very damaging to the modular housing industry as well as the entire realm of affordable housing. In about one half of the models, of homes, that Foremost Industries builds, there would be an addition of approximately 200 square feet of living space added due to widening the modular sections to accommodate the new stair geometry. This increase in area would translate to over a \$5,000.00 increase in cost. The consumer would not only have to bear this cost increase but also associated foundation and other site related costs.

To that end, we would like to request a reconsideration of the adoption of the 1996 edition of the BOCA Building Code to include an amendment re-instating the 8 1/4" rise x 9" tread geometry contained in the previous code. I understand that the committee is scheduled to meet during the week of August 18. I would also respectfully request the committees consideration of an emergency rule to set aside the new stair geometry until further consideration can be given to this matter during the next legislative session.

As a life long resident and native of West Virginia, I was impressed with the attentiveness and cooperation between state and county officials during the recent meeting which I attended in

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PLANTS:

Greencastle, PA  
Mercersburg, PA

Martinsburg, WV  
Wardensville, WV

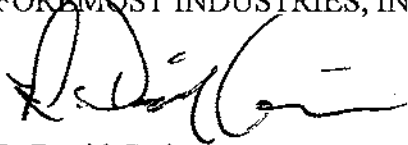


Berkeley County concerning this same issue. I believe all involved were genuinely interested in the concerns of the builders as well as the need for public safety and affordable housing in West Virginia.

Thank you for taking time out of your busy schedule to address these concerns and support the housing industry, your help is greatly appreciated.

Sincerely,

FOREMOST INDUSTRIES, INC.

A handwritten signature in black ink, appearing to read "R. David Gwinn". The signature is fluid and cursive, with a long horizontal stroke at the end.

R. David Gwinn  
Project Engineer

RDG/jlh



**EASTERN PANHANDLE  
HOME BUILDERS  
ASSOCIATION**



A MEMBER OF THE HOME BUILDERS ASSOCIATION OF WEST VIRGINIA

Post Office Box 1706 ■ Martinsburg, West Virginia 25402 ■ Phone/Fax: (304) 267-4710

July 21, 1997

Mr. Walter Smittle III  
Fire Marshal  
State of West Virginia  
1207 Quarrier St.  
Charleston, WV 25301

Dear Mr. Smittle:

Dave Corey of Landmark Builders requested I send you the enclosed regulations on stair geometry requirements in Maryland. I believe you wanted to see how the language was written. As you may recall, Mr. Corey spoke at the Berkeley County Commission Meeting on July 7th regarding building codes and stair geometry in Maryland.

I hope this information is helpful.

Sincerely,

David Hartley  
Executive Officer

✓ cc: The Honorable Vicki V. Douglas, WV House of Delegates

# Proposed Action On Regulations

For information concerning Proposed Action on Regulations, see inside front cover.

### Symbol Key

Roman type indicates existing text of regulation. *Italic type* indicates proposed new text. [Single brackets] indicate text proposed for deletion.

### Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, an estimate of economic impact, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within one year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Register.

## Title 05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

### Subtitle 02 BUILDING AND MATERIAL CODES 05.02.07 Maryland Building Performance Standards

Authority: Article 88B, §§ 6-401 — 6-406,  
Annotated Code of Maryland

#### Notice of Proposed Action 197-023-P-11

The Secretary of Housing and Community Development proposes to amend Regulations .03, .04, .06, .07, and .09 under COMAR 05.02.07 Maryland Building Performance Standards.

#### Statement of Purpose

The main purpose of this action is to update the referenced code to the most recent edition of code as required by Article 88B, § 6-402, Annotated Code of Maryland. These regulations adopt the BOCA National Building Code/1996, as modified by the Department, as the Maryland Building Performance Standards. In addition, the proposal requires DHCD to maintain the Electrical Code and the Energy Code in the automated central computer data base system.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed regulation.

#### Estimate of Economic Impact

I. Summary of Economic Impact. The proposal to adopt the BOCA National Building Code/1996 as the Maryland Building Performance Standards has no economic impact since this is essentially updating of the current standards as required by Article 88B, § 6-402, Annotated Code of Maryland.

The Department has an automated central computer data base system containing the BOCA Code, the State Fire Prevention Code, and the local code amendments. The proposal requires DHCD to maintain the Electrical Code and the Energy Code in the automated central computer data base system. The economic impact of maintaining the additional codes in the system is described below.

#### II. Types of Economic Impacts.

	Revenue (R+/R-)	Expense (E+/E-)	Magnitude
A. On issuing agency:		(E-)	\$12,000 every 3 years
B. On other State agencies:		NONE	
C. On local governments:		NONE	

	Benefit (+)	Cost (-)	Magnitude
D. On regulated industries or trade groups:		NONE	
E. On other industries or trade groups:		NONE	
F. Direct and indirect effects on public:		NONE	

#### III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. Purchase and copyright fees for computer software, the Electrical Code, and the Energy Code.

B. Economic Impact on Small Business  
The proposed action has minimal or no economic impact on small business.

#### Opportunity for Public Comment

Comments may be sent to James Hanna, Director, Codes Administration, Division of Credit Assurance, Department of Housing and Community Development, 100 Community Place, Crownsville, MD 21032, or telephone (410) 514-7220. These comments must be received by March 3, 1997. No public hearing has been scheduled.

**Editor's Note on Incorporation by Reference**

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the "BOCA National Building Code/1996" and the "CABO — One & Two Family Dwelling Code/1995" have been declared documents generally available to the public and appropriate for incorporation by reference. For this reason, they will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of these documents are filed in special public depositories located throughout the State. A list of these depositories was published in §7-1 Md. R. 12 (January 3, 1997). These documents may also be inspected at the office of the Division of State Documents, Old Armory Building, 11 Bladen Street, Annapolis, Maryland.

**.03 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) — (3) (text unchanged)

(4) "Codes Administration" means the Maryland Codes Administration, an administration within [the Division of Community Assistance of] the Department.

(5) — (13) (text unchanged)

**.04 Incorporation by Reference.**

A. The BOCA National Building Code (Building Officials and Code Administrators International, Inc. [Twelfth Edition, 1993] Thirteenth Edition, 1996), with the modifications found in §B of this regulation, is incorporated by reference.

B. Modifications to the BOCA National Building Code.

(1) (text unchanged)

(2) Chapter 5, deletes the first paragraph of Section 604.2 Automatic sprinkler systems and replace with the following:

604.2 Automatic sprinkler systems: Where a building is equipped throughout with an automatic sprinkler system in accordance with Section 906.2.1, the building height limitation specified in Table 503 shall be increased one story and 20 feet (6096 mm). The building height limitations for buildings with an occupancy in Use Groups R-1 and R-2 specified in Table 503 shall be increased one story and 20 feet (6069 mm) but not to exceed a height of four stories and 60 feet (18298 mm) where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.2 and the system is supervised in accordance with Section 924.1, method 1. The building height limitations for buildings with an occupancy in Use Group R-3 specified in Table 503 shall be increased one story and 20 feet (6096 mm) but not to exceed a height of four stories and 60 feet (18288 mm) where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.3 and the system is supervised in accordance with the applicable standards.

(3) Chapter 7, delete Item 2 in Section 707.6.2 Residential occupancies, and replace with the following:

2. The roof sheathing or deck is constructed of approved noncombustible materials or of fire retardant-treated wood, for a distance of 4 feet (1219 mm) on both sides of the wall, or each roof sheathing or deck is constructed with 5/8 inch Type X gypsum board supported directly beneath the underside of the roof sheathing or deck, using minimum 2 inch ledgers attached to the sides of the roof framing members, for a minimum distance of 4 feet (1219 mm) on both sides of the fire wall.

Exception: This requirement does not apply to sprinklered buildings.

[(2)] (4) (text unchanged)

(5) Chapter 10.

(a) Delete Exception 8 in Section 1014.6 Treads and risers and replace with the following:

In occupancies in Use Group R-3 and in occupancies in Use Group U which are accessory to an occupancy in Use Group R-3, the maximum riser height shall be 8 1/4 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A nosing not less than 3/8 inch (19 mm) but not more than 1 1/8 inches (32mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

Within dwelling units in occupancies in Use Group R-2, the maximum riser height shall be 8 inches (204 mm) and the minimum tread depth shall be 9 inches (229 mm). A nosing not less than 3/8 inch (19 mm) but not more than 1 1/8 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

[(3)] (b) (text unchanged)

[(4)] (8) — [(6)] (8) (text unchanged)

[(7)] (9) Delete Chapters 27, 28, and 29 of the BOCA Code [related to electrical, mechanical, and plumbing systems respectively, are in addition to and not instead of State law governing these areas set forth in Article 29A, §§59 — 66, Business Regulation Article, Title 9A, and Business Occupations and Professions Article, Title 12, Annotated Code of Maryland. In the event of a conflict between the BOCA Code and the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland shall prevail] as the subject matter is not within the scope of the Maryland Building Performance Standards.

[(8)] (10) (text unchanged)

C. The CABO One and Two Family Dwelling Code 1995 Edition, with the modifications below, is incorporated by reference:

(1) Delete Section 314.2 Treads and risers, and replace with the following:

314.2 Treads and risers. The maximum riser height shall be 8 1/4 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). The riser height shall be measured vertically between leading edges of the adjacent treads. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The walking face of treads and landings of a stairway shall be sloped no steeper than one unit vertical in 48 units horizontal (2 percent slope). The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

(2) Add the following sentence to Section 316.1 Smoke detectors required:

Smoke detectors are not required in sleeping rooms where the dwellings are equipped throughout with an approved automatic sprinkler system as prescribed in Chapter 9 of the BOCA National Building Code/1996.

**.06 Application of the Standards.**

The Standards shall apply to all buildings and structures within the State for which a building permit application is received by a local jurisdiction on or after [August 1, 1995] October 1, 1997, except:

[A. In countries or municipalities that have not adopted a building code as of October 1, 1992, the Standards shall apply to all buildings and structures for which a building per-

## PROPOSED ACTION

mit application is received by the local jurisdiction on or after August 1, 1997.]

[B.]A. — [C.]B. (text unchanged)

## .07 Utilization of Standards.

## A. Central Data Base.

(1) The Department shall establish an automated central data base which shall contain the following information:

(a) — (b) (text unchanged)

(c) State Fire Prevention Code and amendments to the State Fire Prevention Code promulgated by the State Fire Prevention Commission, or the State Fire Prevention Commission's successor; [and]

(d) The fire codes adopted by the local jurisdictions and any amendments to them[.];

(e) The electrical code required under Article 38A, §§59 and 60, Annotated Code of Maryland;

(f) Local amendments to the electrical code required under Article 38A, §§59 and 60, Annotated Code of Maryland;

(g) The energy code required under Article 78, §54J, Annotated Code of Maryland; and

(h) Local code provisions that are more restrictive than the energy code required under Article 78, §54J, Annotated Code of Maryland.

(2) — (4) (text unchanged)

## B. Voluntary Dispute Resolution.

(1) — (3) (text unchanged)

(4) Within 15 days of the date of the decision of the Director of the Codes Administration, either party may appeal to the [Director, Division of Community Assistance] Secretary of the Department or the Secretary's designee, in writing. The [Director of the Division of Community Assistance] Secretary of the Department or the Secretary's designee shall respond to the appeal within 15 days of receipt of the appeal.

(5) Neither a decision by the Codes Administration nor the [Director of the Division of Community Assistance] Department under §B(3) or (4) of this regulation shall constitute a contested case proceeding under the Maryland Administrative Procedure Act and is not subject to the provisions of COMAR 06.01.01.

.08 Enforcement of (the Standards Related to the Building Fire) State Fire Code Requirements. (text unchanged)

PATRICIA J. PAYNE

Secretary of Housing and Community Development

Distributed  
8/19/97  
By Gordon  
Robertson

TITLE 58  
LEGISLATIVE RULE  
BUREAU OF COMMERCE  
DIVISION OF NATURAL RESOURCES

SERIES 65  
FALCONRY

**§58-65-1. General.**

1.1. Scope and Purpose. -- This legislative rule establishes standards to govern the possession, training, and use of ~~falcons~~ raptors for the purpose of hunting in West Virginia.

1.2. Authority. -- West Virginia Code §20-1-7(30)

1.3. Filing Date. -- May 7, 1997

1.4. Effective Date. -- April 22, 1997

**§58-65-2. Definitions.**

2.1. "Director" means the Director of the West Virginia Division of Natural Resources.

2.2. "Division" means the West Virginia Division of Natural Resources.

2.3. "Falconry" means the sport of taking quarry by means of a trained raptor.

2.4. "Raptor" means a live migratory bird of the Order Falconiformes or the Order Strigiformes, other than a bald eagle (*Haliaeetus leucocephalus*) or a golden eagle (*Aquila chrysaetos*).

**§58-65-3. Permit Requirements.**

3.1. A West Virginia falconry permit is required before any person may take, possess, transport, sell, purchase, barter, or offer to sell, purchase or barter raptors for falconry purposes or practice falconry in the state of West Virginia.

3.2. Permittees may not take, possess, transport, sell, purchase, barter, or transfer any raptor for falconry purposes except under authority of a Federal falconry permit which is issued in conjunction with the state permit and in accordance with appropriate State and Federal rules and regulations.

3.3. The Director may issue falconry permits to applicants who meet the requirements and otherwise comply with the provisions of this rule.

3.4. Applicants must complete and submit an application on forms provided by the Division.

3.5. Permits are valid from January 1 to December 31 of each year. Permits are renewable, but may not be transferred to any other person. Permits may be revoked or denied for cause or for violation of any of the provisions of the permit or Subsection 11.1 of this rule.

3.6. The fees for permits are as follows:

3.6.1. An applicant who applies for a permit, who does not currently possess a permit issued by the Division in one of the three classes set forth in Section 4 of this rule, shall pay an initial \$250 application and issuance fee for any class permit.

3.6.2. The annual renewal fee for any class permit is \$100. Any lapse in renewal of more than thirty (30) days subjects the applicant to the same \$250 fee as an initial applicant.

3.6.3. An applicant, who currently possess a permit issued by the Division in one of the classes set forth in Section 4 of this rule, who applies for a permit in one of the other classes shall not pay an application and issuance fee.

3.7. Hunting License Requirements.

3.7.1. In addition to a falconry permit, permittees are required to possess a valid hunting license and any other applicable stamps or licenses that are required by law.

3.7.2. When hunting waterfowl with a raptor, the permittee must hold a valid federal and state waterfowl stamp.

3.8. Seasons and bag limits.

3.8.1. Falconers may only hunt during seasons established by the Director.

3.8.2. Falconers must abide by all bag limits established by the Director.

**§58-65-4. Classes of Permits.**

4.1. Apprentice class.

4.1.1. An applicant for a permit shall be at least 14 years old.

4.1.2. A permittee must be sponsored by a holder of a valid West Virginia General or Master Falconry Permit or a valid General or Master Falconry Permit from another state meeting Federal falconry standards and listed in appropriate Federal regulations for the first two years in

which an apprentice permit is held, regardless of the age of the permittee. A sponsor may not have more than three apprentices at any one time;

4.1.3. A permittee shall not possess more than one raptor and may not obtain more than one raptor for replacement during any 12-month period.

4.1.4. A permittee shall possess only an American kestrel (*Falco sparverius*) or a red-tailed hawk (*Buteo jamaicensis*).

4.2. General Class.

4.2.1. An applicant for a permit shall be at least 18 years old.

4.2.2. An applicant for a permit shall have at least two years experience in the practice of falconry at the apprentice class level.

4.2.3. A permittee may not possess more than two raptors and may not obtain more than two raptors for replacement birds during any 12-month period.

4.2.4. A permittee may not take, transport, or possess any golden eagle (*Aquila chrysaetos*), or any species listed as threatened or endangered in appropriate Federal regulations.

4.3. Master Class.

4.3.1. An applicant for a permit shall have at least five years experience in the practice of falconry at the general class level.

4.3.2. A permittee may not possess more than three raptors, and may not obtain more than two raptors for replacement birds during any 12-month period.

4.3.3. A permittee may not take any species listed as threatened or endangered in appropriate Federal regulations, but may transport or possess those species in accordance with the federal regulations and with authorization in writing by the Director.

4.3.4. A permittee may not take, transport, or possess any golden eagle or any raptor not indigenous to this State for falconry purposes, unless authorized in writing by the Director.

**§58-65-5. Examination.**

5.1. Applicants for an apprentice class permit are required to answer correctly at least 80 percent of the questions on a supervised examination relating to basic biology, care and handling of raptors, literature, laws, rules, regulations and other appropriate subject matter before the Division will issue a falconry permit. The examination will be provided and administered by the Division.



5.2. Division employees representing the Director shall inspect and certify raptor housing and other equipment prior to issuing a permit to an applicant. Facilities and equipment must meet the standards listed in Subsection 6.1 of this rule.

**§58-65-6. Facilities and Equipment.**

6.1. Before a falconry permit is issued, the applicant's raptor housing facilities and falconry equipment shall be inspected and certified by a representative of the Wildlife Resources Section of the Division as meeting the following standards:

6.1.1. Facilities.

6.1.1.a. The primary consideration for raptor housing facilities, whether indoors (mews) or outdoors (weathering area), is protection from the environment, predators, or undue disturbance. The applicant may have either of the following facilities, except that depending upon climatic conditions, the issuing authority may require only one of the following facilities:

6.1.1.b. Indoor facilities (mews) which are large enough to allow easy access for caring for the raptors housed in the facility. If more than one raptor is to be kept in the mews, the raptors shall be tethered or separated by partitions and the area for each bird shall be large enough to allow the bird to fully extend its wings. There shall be at least one window, protected on the inside by vertical bars, spaced narrower than the width of the bird's body, and a secure door that can be easily closed. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided; or

6.1.1.c. Outdoor facilities (weathering area) which are fenced and covered with netting or wire, or roofed to protect the birds from disturbance and attack by predators except that perches more than 6 ½ feet high need not be covered or roofed. The enclosed area shall be large enough to insure the birds cannot strike the fence when flying from the perch. Protection from excessive sun, wind, and inclement weather shall be provided for each bird. Adequate perches shall be provided.

6.1.2. The following equipment must be possessed by the applicant before he or she will be issued a permit:

6.1.2.a. Jesses -- An applicant shall possess at least 1 pair of Alymeri jesses or jesses of similar type, constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. Traditional 1-piece jesses may be used on raptors when they are not being flown;

6.1.2.b. Leashes and swivels -- An applicant shall possess at least 1 flexible, weather-resistant leash and 1 strong swivel of acceptable falconry design;

6.1.2.c. Weighing device -- An applicant shall possess a reliable scale or balance suitable for weighing the raptors held and graduated to increments of not more than ½ ounce (15 gram);

6.1.2.d. Bath container -- An applicant shall possess at least 1 suitable container, 2 to 6 inches deep and wider than the length of the raptor, for drinking and bathing for each raptor; and

6.1.2.e. Outdoor perches -- An applicant shall possess at least 1 weathering area perch of an acceptable design for each raptor.

6.1.3. Maintenance.

6.1.3.a. All facilities and equipment must meet or exceed the standards listed in Subsections 6.1.1 and 6.1.2 of this rule at all times.

6.1.4. Transportation and temporary holding.

6.1.4.a. A raptor possessed under authority of a West Virginia falconry permit may be temporarily held by a person other than the permittee only if that person is otherwise authorized to possess raptors, and then only if the raptor is accompanied at all times by the properly completed Federal form 3-186A (Migratory Bird Acquisition/Disposition Report) designating the permittee as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession.

6.1.4.b. Raptors may be transported or held for a period not to exceed thirty (30) days in a temporary facility, if it is equipped with a perch and is protected from extreme temperatures and excessive disturbance.

6.1.4.c. Raptors legally held under a valid West Virginia falconers permit may be transported to other states for meets, trials, and hunting and may be returned to West Virginia by the permittee without having to obtain an importation permit. Nothing in this rule exempts the falconer from having to obtain the necessary permits or licenses before transporting any raptor into another state.

**§58-65-7. Nonresident Permits.**

7.1. Nonresident falconers must possess both a West Virginia falconry permit and the appropriate nonresident hunting licenses to hunt with a raptor in West Virginia.

7.2. Nonresident falconers are not subject to the examination and facilities and equipment conditions outlined in Sections 5 and 6 of this rule, but must show proof of possession of a valid

permit from another State that meets Federal falconry standards and is listed in appropriate Federal regulations.

7.3. Nonresident falconers must obtain an importation permit as required by West Virginia code §20-2-13, prior to bringing raptors into West Virginia.

**§58-65-8. Reporting.**

8.1. The permittee may not take, purchase, receive, or otherwise acquire, sell, barter, transfer, or otherwise dispose of any raptor unless he or she submits a Federal form 3-186A (Migratory Bird Acquisition/Disposition Report), completed in accordance with the instructions on the form, to the Division office within five (5) calendar days of any transaction.

8.2. A permittee may not possess a raptor, unless the permittee has a properly completed Federal form 3-186A (Migratory Bird Acquisition/Disposition Report) for each bird possessed.

**§58-65-9. Marking.**

9.1. The Division shall conduct an inventory of all raptors held within the State, except those held for scientific or zoological purposes.

9.2. Any raptor taken, possessed or transported for falconry purposes, except a captive bred raptor lawfully marked by a numbered, seamless band issued by the Division or the US Fish and Wildlife Service, must be banded with a permanent, non-reusable numbered band issued by the Division or the US Fish and Wildlife Service.

9.3. Raptors removed from the wild shall not be banded with a seamless numbered band.

9.4. A permittee shall report the loss or removal of any band to the issuing office within five (5) working days of the loss. The lost band must be replaced by a permanent, non-reusable numbered band supplied by the Division or by the US Fish and Wildlife Service. The permittee must file a Federal form 3-186A (Migratory Bird Acquisition/Disposition Report) in accordance with the instructions on the form reporting the loss of the band and the rebanding.

9.5. Alteration, counterfeiting or defacing of a marker is prohibited except that a permittee may remove the rear tab on markers and may smooth an imperfect surface provided the integrity of the marker and numbering are not affected.

**§58-65-10. Restrictions.**

10.1. Taking Restrictions.

10.1.1. It is illegal to take at any time any golden eagle or any species of raptor listed as threatened or endangered in appropriate State or Federal rules or regulations.

10.1.2. Only resident falconers may take raptors from the wild for the purposes of falconry.

10.1.3. Resident falconers are only allowed to take American kestrels (*Falco sparverius*) and red-tailed hawks (*Buteo jamaicensis*) from the wild for the purpose of falconry.

10.1.4. Resident falconers who desire to take either of the two species listed in Subdivision 10.1.3 of this Section must obtain a scientific collecting permit from the Director. Any permit for collecting birds from the wild shall include, as a provision of collection, the written permission of the landowner, including State and Federal agencies, from which the bird(s) would be taken.

10.1.5. Immature raptors of the species listed in Subdivision 10.1.3 of this Section which are not yet capable of flight (eyases) may only be taken by a General or Master Falconer during the period of May 1 to June 15, and no more than two eyases may be taken by the same permittee during the specified period.

10.1.6. First-year (passage) birds may be taken only during the period of September 1 to November 30.

10.1.7. A marked or banded raptor may be retrapped at any time.

10.1.8. Only American Kestrels (*Falco sparverius*) may be taken when over one year old ~~may be taken~~ for falconry. Any raptor ~~listed as other than~~ threatened or endangered species listed by state or federal laws, rules or regulations, ~~other than golden eagles~~, taken under the authority of a depredation or special purpose permit issued by the U.S. Fish and Wildlife Service may be used for falconry by General and Master class falconers.

## 10.2. Other Restrictions and Provisions.

10.2.1. Any person who possesses a lawfully acquired raptor before the enactment of this rule and who fails to meet the permit requirements of this rule may be allowed to retain the raptor(s), provided he or she meets all the housing requirements listed in Subdivision 6.1.1 of this rule and provided further that the raptor is not used for falconry purposes by the holder. Any person possessing raptors under the authority of this section must also comply with the provisions of Division rule, Miscellaneous Permits and Licenses 58 CSR 64-2.1.3. These birds shall be identified with markers supplied by the Director and cannot be replaced if death, loss, release, or escape occurs.

10.2.2. A person who possesses raptors before the enactment of this rule, in excess of the number allowed under his or her class of permit, may be allowed to retain the extra raptors.

These birds shall be identified with markers supplied by the Director and no replacement shall occur, nor may an additional raptor be obtained, until the number in possession is at least one less than the total number authorized by the class of permit held by the permittee.

10.2.3. A falconer shall remove and surrender to the Division any markers from an intentionally released bird which is indigenous to the state. A standard Federal bird band shall be attached to these birds by a Division or U.S. Fish and Wildlife Service bird bander prior to release.

10.2.4. No non-indigenous birds may be released in this state.

10.2.5. Another person may care for the birds of a permittee, ~~if written authorization from the permittee accompanies the birds when they are transferred: for a period not to exceed thirty (30) days. The raptor must be accompanied at all times by a properly completed form 3-186A designating the person caring for the raptor as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession. If the period of care will exceed thirty (30) days, the Director must be notified in writing by the permittee within three (3) days of the transfer. The notification must include the location where the birds are being held, the reason for the transfer, the name and address of the person responsible for their care, and the approximate number of days they will be in the care of that person.~~

10.2.6. Feathers that are molted or those feathers from birds held in captivity that die, may be retained and exchanged by a permittee only for imping purposes.

10.2.7. A permittee may not sell, purchase, barter, or offer to sell, purchase or barter any raptor unless the raptor is marked on the metatarsus by a seamless, numbered band supplied by the Division or US Fish and Wildlife Service.

10.2.8. A permittee may not propagate raptors without prior acquisition of a valid raptor propagation permit issued by the U.S. Fish and Wildlife Service and written authorization from the Director in writing.


#### **§58-65-11. Revocation of Permit.**

11.1. The Director may revoke a falconry permit under the authority granted by West Virginia Code §20-2-38. The Director shall send notice to the permittee by certified mail which specifies the reason for the revocation, which may include, but is not limited to, the following reasons:

11.1.1. Improper care for a raptor;

11.1.2. A raptor becomes a public nuisance;

11.1.3. A violation of West Virginia game laws or rules;



11.1.4. Non-compliance with the terms or conditions of permit; or

11.1.5. Revocation of the permittee's Federal falconry permit.

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: Tuesday, August 19, 1997  
 TIME: 1:45 p.m.

NAME Present Absent Yeas Nays

HOUSE

Kiss, Robert, Speaker	_____	_____	_____	_____
Hunt, Mark, Co-Chair	_____	_____	_____	_____
Linch, Larry, Vice-Chair	✓	_____	_____	_____
Compton, Mary Pearl	✓	_____	_____	_____
Faircloth, Larry V.	✓	_____	_____	_____
Jenkins, Evan	✓	_____	_____	_____
Riggs, Dale	✓	_____	_____	_____

SENATE

Tomblin, Earl Ray, President	_____	_____	_____	_____
Ross, Michael, Co-Chair	✓	_____	_____	_____
Anderson, Leonard, Vice-Chair	✓	_____	_____	_____
Boley, Donna	✓	_____	_____	_____
Bowman, Edwin	✓	_____	_____	_____
Buckalew, Jack	✓	_____	_____	_____
Macnaughtan, Don	✓	_____	_____	_____

TOTAL \_\_\_\_\_

RE: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Old  
 8 1/4 - 9" Rise  
 New  
 7 1/4 - 10" Rise

REGISTRATION OF PUBLIC  
 AT  
 COMMITTEE MEETINGS  
 WEST VIRGINIA LEGISLATURE

Committee: \_\_\_\_\_ Date \_\_\_\_\_

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	Please check (X) if you desire to make a statement.
Dwaine W. Surger	2709 Charleston Rd Gardenville, WV	WV Dept Agri. Meat & Poultry Insp.	
David Howell	812 Broad Street Charleston, WV	WV Cable TV Advisory Board	X
GREEN DOWDY	1900 KANAWHA BLVD, EAST	WV SOIL CONSERVATION AGY	
Ron Foren	815 Quarrier St	Bureau for Public Health	
MAX R. FISHER	" " "	" " " "	
Gary L. Epling R.S.	504 S. Church St. - Ripley Jackson Co. Health Dept	" " " "	
Kay Howard	DHHR	Charleston	If needed
STEVE SNYDER	MID ATLANTIC BUILDING SYSTEMS COUNCIL	MEDICAL HOUSING INDUSTRY 3029 N. FRONT ST HARRISBURG PA 17102	X
WILLIAM TEACH	119 W. KING ST MARTINSBURG	BERKELEY COUNTY COMMISSION	X
Vicki Douglas		H of D	✓