

MAY



TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Monday, May 18, 1998
10:00 a.m. to 11:00 a.m.
Senate Finance Committee Room M-451

1. **Approval of Minutes** - Meetings of January 12, 13, 14, and 21, 1998
2. **Review of Legislative Rules:**
 - a. **Division of Natural Resources**
*Public Use of WV State Parks, State Forests, Wildlife Management Areas
Under the Division of Natural Resources*
 - b. **Consolidated Public Retirement Board**
Service Credit
 - c. **Board of Accountancy**
Board Rules and Rules of Professional Conduct
 - d. **Board of Osteopathy**
Formation and Approval of Professional Limited Liability Companies
 - e. **Division of Natural Resources**
Recycling Assistance Fund Grant Program
3. **Other Business .**

Monday, May 18, 1998

10:00a.m - 11:00a.m.

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

Earl Ray Tomblin
ex officio nonvoting member

Robert "Chuck" Chambers,
ex officio nonvoting member

Senate

House

Ross, Chairman
Anderson, Vice Chairman
Boley
Bowman
Buckalew
Macnaughtan (Absent)

Hunt, Chairman
Linch, Vice Chairman
Compton
Faircloth
Jenkins
Riggs

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

The minutes of the January 12, 13, 14, and 21 meetings were approved.

Debra Graham, Committee Counsel, told the Committee that the rules proposed by the Board of Accountancy - *Board Rules and Rules of Professional Conduct (1CSR1)* and by the Division of Natural Resources - *Recycling Assistance Fund Grant Program (58CSR5)* had been withdrawn.

Ms. Graham explained the rule proposed by the *Division of Natural Resources - Public Use of WV State Parks, State Forests, and Wildlife Management Areas Under the Division of Natural Resources (58CSR31)*, and stated that the Division has agreed to technical modifications. She and Doug Baker, representing the Division, responded to questions from the Committee.

Mr. Buckalew moved that the Committee request that the Division withdraw the proposed rule. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the *Consolidated Public Retirement Board - Service Credit (162CSR6)*, and stated that the Board has agreed to technical modifications. She and Jim Sims, Executive Secretary of the Board, answered questions from the Committee.

Ms. Boley moved that the proposed rule lie over until the Committee's next meeting. The motion was adopted.

Mr. Faircloth told the other members of the Committee that the Legislature had authorized the Department of Health and Human Resources to promulgate a rule relating to septic tanks. He stated that, based on this rule, the Department is refusing to issue permits on pre-approved lots, causing major problems for home builders in his area. Dr. Henry Taylor, Commissioner of the Department's Bureau of Public Health and Russ Rader, Director of the Department's Office of Environmental Health Services, responded to questions from the Committee. Mr. Ross requested that staff send a copy of the pertinent statute to the Committee members.

The meeting was adjourned.

health depts.
in local
Savannah
line of
Training &
Systems
permits
Issue
now want
Preapproved
lots of

Other Business
Faircloth - passed rules relating to septic tanks
Dr Taylor addressed the issue of home care
Juss Rader - responded to questions from the C
to obtain copy of code to distribute

Boley

Other Business
CPRP - Service Credit
Jim Sims responded to questions
Lay over till next meeting

Boley

DRR - Public Use
Counsel explained and responded to questions
Doug Baker responded to questions
Request withdrawal

Meeting called to order by Senator Ross
Minutes approved

12/19/98
M/uy

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: 5/18/98

TIME: 10:00 am

NAME Present Absent Yeas Nays

HOUSE

Kiss, Robert, Speaker	<input checked="" type="checkbox"/>			
Hunt, Mark, Co-Chair	<input checked="" type="checkbox"/>			
Linch, Larry, Vice-Chair	<input checked="" type="checkbox"/>			
Compton, Mary Pearl	<input checked="" type="checkbox"/>			
Faircloth, Larry V.	<input checked="" type="checkbox"/>			
Jenkins, Evan	<input checked="" type="checkbox"/>			
Riggs, Dale	<input checked="" type="checkbox"/>			

SENATE

Tomblin, Earl Ray, President				
Ross, Michael, Co-Chair	<input checked="" type="checkbox"/>			
Anderson, Leonard, Vice-Chair	<input checked="" type="checkbox"/>			
Boley, Donna	<input checked="" type="checkbox"/>			
Bowman, Edwin	<input checked="" type="checkbox"/>			
Buckalew, Jack	<input checked="" type="checkbox"/>			
Macnaughtan, Don				

TOTAL _____

RE: _____

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

Committee: LRMR@

Date May 18, 1998

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	Please check (X) if you desire to make a statement.
Russ Rader		DHHR - BPH	
Ron Forren		" "	
LARRY ARNOLD		DHHR	
DOUG BAKER		DNR	