

APRIL



TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Sunday, April 18, 1998
2:00 p.m. - 4:00 p.m.
Senate Finance Committee Room M-451

1. **Approval of Minutes** - Meetings of January 10 and 12, 1999.
2. **Review of Legislative Rules:**
 - a. **Division of Natural Resources**
Special Motor Boating Regulations, 58CSR27
 - b. **Division of Natural Resources**
Prohibitions When Hunting and Trapping, 58CSR47
 - c. **Division of Natural Resources**
Special Bear Hunting Rule, 58CSR48
 - d. **Division of Health**
AIDS-Related Testing and Confidentiality, 64CSR64
 - e. **Division of Highways**
Construction and Reconstruction of State Roads, 157CSR3
 - f. **Division of Highways**
Traffic and Safety Rule, 157CSR5
 - g. **Division of Highways**
Transportation of Hazardous Wastes Upon the Roads and Highways, 157CSR7

APRIL INTERIM SCHEDULE
Legislative Interim Meetings
April 18 and 19, 1999

Sunday, April 18, 1999

2:00 - 4:00 p.m.

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

Earl Ray Tomblin, ex
officio nonvoting member

Robert S. Kiss, ex
officio nonvoting member

Senate

Ross, Chair	<input checked="" type="checkbox"/>
Anderson, Vice Chair	<input checked="" type="checkbox"/>
Schoonover	<input checked="" type="checkbox"/>
Snyder	<input checked="" type="checkbox"/>
Unger	<input checked="" type="checkbox"/>
Minear	<input checked="" type="checkbox"/>

House

Hunt, Chair	<input checked="" type="checkbox"/>
Linch, Vice Chair	<input checked="" type="checkbox"/>
Compton	<input checked="" type="checkbox"/>
Jenkins	<input checked="" type="checkbox"/>
Faircloth	<input checked="" type="checkbox"/>
Riggs	<input checked="" type="checkbox"/>

I certify that the attendance as noted above
is correct.



Staff Person

Debra

April 18, 1999

2:00 p.m. - 4:00 p.m.

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(Code §29A-3-10)

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ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

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House

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Unger
Minear

Hunt, Chairman
Linch, Vice Chairman
Compton
Jenkins
Faircloth
Riggs

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

The minutes of the January 10 and 12, 1999, meetings were approved.

Debra Graham, Committee Counsel, explained the rule proposed by the *Division of Natural Resources-Special Motor Boating Regulations, 58CSR27*, and stated that the Division has agreed to technical modifications. She responded to questions from the Committee.

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

Ms. Graham reviewed her abstract on the proposed rule by the *Division of Natural Resources-Prohibitions When Hunting and Trapping, 58CSR47*, 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.

Mr. Hunt 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-Special Bear Hunting Rule, 58CSR48*.

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

Ms. Graham reviewed her abstract on the proposed rule by the *Division of Health-AIDS-Related Testing and Confidentiality, 64CSR64*, and stated that the Division has agreed to technical modifications. Dr. Henry Taylor, Public Health Commissioner, and Loretta Haddy, Director of Surveillance and Disease Control for the Division, responded to questions from the Committee.

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

Rita Pauley, Associate Counsel, explained the rule proposed by the *Division of Highways-Construction and Reconstruction of State Roads, 157CSR3*, and stated that the Division has agreed to technical modifications. She and Robert Tinney, Contract Administration Division Director, responded to questions from the Committee.

Ms. Minear moved that Section 4 of the proposed rule be modified to put subsections 4.1(ii) and 4.1(iii) of the current rule back into the proposed rule. The motion was adopted.

Mr. Lynch moved that Section 11.4 of the proposed rule be modified on line two by deleting the word "not". The motion was rejected.

Mr. Riggs moved that Section 6.6 of the proposed rule be modified by changing notification of "all utilities" to "all utilities and/or owners". The motion was adopted. Mr. Ross and Mr. Riggs abstained from voting.

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

Ms. Pauley reviewed her abstract on the rule proposed by the *Division of Highways-Traffic and Safety Rule, 157CSR5*, and stated that the Division has agreed to technical modifications. She and Ray Lewis, from the Traffic Engineering Department, responded to questions from the Committee.

Ms. Minear moved that Section 8.5 of the proposed rule be modified to provide a personal use exemption to the requirements for transporting compressed gas. The motion was adopted.

Mr. Faircloth moved that the proposed rule lie over until the Committee's next meeting and that staff invite Leff Moore, West Virginia Manufactured Housing Association, to address the Committee. The motion was adopted.

Ms. Pauley explained the rule proposed by the *Division of Highways-Transportation of Hazardous Wastes Upon the Roads and Highways, 157CSR7*, and stated that the Division has agreed to technical modifications. She responded to questions from the Committee.

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

The meeting was adjourned.

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

Committee: LRMA @ Date _____

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	Please check (X) if you desire to make a statement.
Bill DANIEL	DNR	CHARLESTON	—
Gordon Robertson	DNR	Charleston	if necessary
Jim Youngblood	Capitol Complex B-5 W.V. DOH	Det. Division of Highways	
ROBERT K. TINNEY	WV DOH	DIVISION OF HIGHWAYS	
✓ Ray Lewis	WV DOH	Division of Highways	✓
Alan Cuervo	WV DOH	Division of Highways	

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as mod*

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*Approved
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b. **Division of Natural Resources**
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Approve

Division of Natural Resources
Special Bear Hunting Rule, 58CSR48

*Approved
as mod*

Division of Health
AIDS-Related Testing and Confidentiality, 64CSR64

*Approve
as mod*

Division of Highways
Construction and Reconstruction of State Roads, 157CSR3

*Laid
over*

Division of Highways
Traffic and Safety Rule, 157CSR5

*Approved
as mod*

Division of Highways
*Transportation of Hazardous Wastes Upon the Roads and Highways,
157CSR7*

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Senate

Ross, Chair	✓
Anderson, Vice Chair	✓
Schoonover	✓
Snyder	✓
Unger	✓
Minear	✓

House

Hunt, Chair	✓
Linch, Vice Chair	✓
Compton	✓
Jenkins	✓
Faircloth	✓
Riggs	✓

minutes Jan 10, & 12 approved

DNR - ^{Some} motorboat - I explained & resp'd to q.

Hunt
adopted

Approve as mod

DNR - Prohibitions

Bill Daniel responded to questions

Hunt
adopted

Approve as mod

DNR - Special Bar

Hunt
adopted

Approve

Health - Aids

Dr. Henry Taylor > responded to questions

Lois Haddy

Approve as mod

Hunt
adopted

● Div. of Highways - Construction

Rita explained & responded to q's

Bob Tenney, Dir. H. — § responded to questions

Miner adopted Modify § 4. 2: § 3: back into the proposed rule

Linch rejected Modify § 11.4 - Contractor to submit weekly cert payrolls - remove "not" (line 2)

Riggs adopted Modify § 6 - Change notification from utility "and/or owners" to "and/or owners" Chairman & Riggs abstained from voting.

● Hunt adopted Approve as mod

DOT - Traffic & Safety

Rita explained & responded to questions

Miner adopted Modify § 8.5

Ray Lewis, Traffic Engineering Div - responded to q's

Hunt adopted Approve as mod.s

Faircloth adopted Lay over j Contact left Moore

● DOT - Trans. of Haz. Waste

Rita explained & responded to questions.

Faircloth adopted Approve as mod

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Compton ✓
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Faircloth ✓
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Approve as mod

DNR - Special Bar

Hunt
adopted

Approve

Health - Aids

Dr. Henry Taylor > responded to questions

Corietha Haddy

Hunt
adopted

Approve as mod

Div. of Highways - Construction

Rita explained & responded to q's

Bob Tenney^{sr}, Dir. 15 - & responded to questions

Mineral
adopted Modify § 4 - 2; § 3; back into the proposed rule

Linch
repealed Modify § 11.4 - Contractor to submit weekly cert payrolls - remove "not" (line 2)

Biggs
adopted modify § 6 - Change notification from utility "and/or owner" Chairman & Biggs obtained from ^{to} eding.

Hunt
adopted Approve as mod

DOT - Traffic & Safety

Rita explained & responded to questions

Mineral
adopted Modify § 8.5

Ray Lewis, Traffic Engineering Div - responded to q's

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adopted Approve ~~as~~ mod's

Faircloth
adopted Lay over; Contact left Moore

DOT - Trans. of Haz. Waste

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