

JULY 15



Wednesday, July 15, 2009

2:00 p.m. to 3:00 p.m.

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

Earl Ray Tomblin
ex officio nonvoting member

Richard Thompson
ex officio nonvoting member

Senate

Minard, Chairman
Snyder, Vice Chair
Prezioso
Unger Absent
Boley
Facemyer

House

Brown, Chairman
Poling, Vice Chair
Miley Absent
Talbott
Overington
Sobonya

The meeting was called to order by Delegate Brown, Chair.

Senator Minard moved that the minutes of the February 10, 2009, meeting be approved. The motion was adopted.

Rita Pauley, Associate Counsel, explained her abstract on the rule proposed by the **WV Division of Corrections, Recording of Inmate Telephone Calls, 90CSR5**, stated that the Division has agreed to technical modifications and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Mrs. Pauley reviewed her abstract on the rule proposed by the **WV Division of Corrections, Monitoring Inmate Mail, 90CSR7** and stated that the Division has agreed to technical modifications.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **WV Real Estate Appraiser Licensing and Certification Board, Renewal of Licensure or Certification, 190CSR3** and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Charles Roskovensky, Associate Counsel, reviewed his abstract

on the rule proposed by the WV Board of Examiners for Speech-Language Pathology and Audiology, *Licensure of Speech-Pathology and Audiology, 29CSR1*, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the DEP - Waste Management, *Covered Electronic Devices Takeback Program, 33CSR11*, and responded to questions from the Committee.

Sandy Rogers with the Department of Environmental Protection responded to questions.

Delegate Sobonya moved that the proposed rule be laid over for further consideration until the next Legislative Rule-Making Review Committee meeting.

Senator Minard spoke in opposition of the motion.

The motion failed.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Senator Minard moved to adjourn the meeting. The motion was adopted.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Wednesday, July 15, 2009
2:00 p.m. to 3:00 p.m.
Senate Judiciary Committee Room

1. **Approval of Minutes - Meetings of February 10, 2009**
2. **Review of Legislative Rules:**
 - a. **Corrections, WV Division of**
Recording of Inmate Telephone Calls
90CSR5
 - b. **Corrections, WV Division of**
Monitoring Inmate Mail
90CSR7
 - c. **Real Estate Appraiser Licensing and Certification Board, WV**
Renewal of Licensure or Certification
190CSR3
 - d. **Speech-Language Pathology and Audiology, WV Board of**
Examiners for
Licensure of Speech-Pathology and Audiology
29CSR1
 - e. **DEP - Waste Management**
Covered Electronic Devices Takeback Program
33CSR11
3. **Other Business**

JULY INTERIM ATTENDANCE
Legislative Interim Meetings
July 14, 15 and 16, 2009

Wednesday, July 15, 2009

2:00 pm - 3:00 pm

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Thompson, ex
officio nonvoting member

Senate

Minard, Chair
Snyder, Vice Chair
Prezioso
Unger
Boley
Facemyer

✓
✓
✓

✓
✓

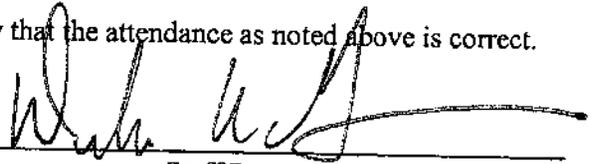
House

Brown, Chair
Poling, D., Vice Chair
Miley
Talbot
Overington
Sobonya

✓
✓

✓
✓
✓

I certify that the attendance as noted above is correct.



Staff Person

Debra Graham

Please return to Brenda in Room 132-E or Fax to 347-4819 ASAP, due to payroll deadline.

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LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Wednesday, July 15, 2009
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Senate Judiciary Committee Room

1. **Approval of Minutes - Meetings of February 10, 2009**
2. **Review of Legislative Rules:**

Approved as modified **Corrections, WV Division of
Recording of Inmate Telephone Calls
90CSR5**

- **Approve as Modified**

Approved as modified **Corrections, WV Division of
Monitoring Inmate Mail
90CSR7**

- **Approve as Modified**

Approved **Real Estate Appraiser Licensing and Certification Board, WV
Renewal of Licensure or Certification
190CSR3**

- **Approve**

Approved as modified **Speech-Language Pathology and Audiology, WV Board of
Examiners for
Licensure of Speech-Pathology and Audiology
29CSR1**

- **Approve as Modified**

Approved **DEP - Waste Management
Covered Electronic Devices Takeback Program
33CSR11**

- **Approve**

3. **Other Business**

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July 14, 15 & 16, 2009

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Richard Thompson, ex
 officio nonvoting member

Senate

House

Minard, Chair		✓
Fanning, Vice Chair Snyder		✓
Prezioso		✓
Unger		
Boley		✓
Facemyer		✓

Brown, Chair	✓
Poling, Vice Chair	✓
Miley	
Talbott	✓
Overington	✓
Sobonya	✓

Minard - approve minutes

Corrections 90 CSR 5

*Minard Rita explained & ans'd questions
 Approve as modified*

Corrections 90 CSR 7

*Minard Rita explained
 Approve as modified*

RE Appraiser Licensing 190 CSR 3

*Minard Brian explained
 Approve*

Speech-Language 3905E1

Charlie explained

Mixed
Appeared as mod. field

DEP - Unsta Mt - Covered 3305E11

→ They explained & responded to questions

Spongy
failed
Lay over till August

→ Sandy Rogers responded to questions

Mixed
Spoke against the motion

Apparous

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90CSR5
 - **Approve as Modified**
 - b. **Corrections, WV Division of**
Monitoring Inmate Mail
90CSR7
 - **Approve as Modified**
 - c. **Real Estate Appraiser Licensing and Certification Board, WV**
Renewal of Licensure or Certification
190CSR3
 - **Approve**
 - d. **Speech-Language Pathology and Audiology, WV Board of Examiners for**
Licensure of Speech-Pathology and Audiology
29CSR1
 - **Approve as Modified**
 - e. **DEP - Waste Management**
Covered Electronic Devices Takeback Program
33CSR11
 - **Approve**
3. **Other Business**

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Senate

House

Minard, Chair
~~Fanning~~, Vice Chair
 Prezioso
 Unger
 Boley
 Facemyer

 ✓
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 ✓
 ✓

Brown, Chair
 Poling, Vice Chair
 Miley
 Talbott
 Overington
 Sobonya

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Snydes

Brown called meeting to order

- Minard moved minutes - approved
- Corrections 90CSR5
 Rita explained & responded to ?'s
 Minard moved as modified
 Approved as modified
- Corrections 90CSR7
 Rita explained
 Minard moved as modified
 Approved as modified

- Real Estate 190CSR3

Brian explained & responded to ?'s
Minard moved rule
approved

- Speech-Language 29CSR1

Charlie explained & responded to ?'s
Minard moved as modified
Approved as modified

- Waste 33CSR11

Jay explained & responded to ?'s
Sandy Roger w/DEP responded to ?'s
Sabonya moved to layover

motion denied

Minard moved rule
approved

- Minard moved to adjourn