

August 10, 2010

Tuesday, August 10, 2010

3:00 p.m. to 4:00 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		House	
Minard, Chairman		Brown, Chairman	Absent
Snyder, Vice Chair		Poling, Vice Chair	
Prezioso		Fleischauer	
Unger		Talbott	Absent
Boley	Absent	Overington	
Facemyer		Sobonya	

The meeting was called to order by Senator Snyder, Vice Chair.

Delegate Fleischauer moved that the minutes of the July 21, 2010, meetings be approved.

Senator Unger moved to correct the minutes to show he was present at the July 21, 2010 meeting. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Inspection of Meat and Poultry, 61CSR16.**

Bob Pitts with the Department of Agriculture responded to questions from the Committee.

Delegate Fleischauer moved that the proposed rule be approved. The motion was adopted.

Miss Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, General Provisions, 162CSR1.**

Delegate Fleischauer moved that the proposed rule be approved. The motion was adopted.

Miss Graham explained her abstract on the rule proposed by the **Consolidated Public Retirement Board, Teachers' Defined Contribution System, 162CSR3.**

Delegate Fleischauer moved that the proposed rule be approved. The motion was adopted.

Miss Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, Public Employees Retirement System, 162CSR5,** and responded to questions from the Committee.

Delegate Fleischauer moved that the proposed rule be approved. The motion was adopted.

Miss Graham explained her abstract on the rule proposed by the **Consolidated Public Retirement Board, Refund, Reinstatement and Loan Interest Factors 162CSR7**, and responded to questions from the Committee.

Delegate Fleischauer moved that the proposed rule be approved. The motion was adopted.

Miss Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, West Virginia State Police, 162CSR9**.

Delegate Fleischauer moved that the proposed rule be approved. The motion was adopted.

Miss Graham explained her abstract on the rule proposed by the **Division of Natural Resources, Prohibitions when Hunting and Trapping, 58CSR47**, and responded to questions from the Committee.

Delegate Overington moved that the proposed rule be approved. The motion was adopted.

Miss Graham reviewed her abstract on the rule proposed by the **Division of Natural Resources, General Hunting, 58CSR49**, and responded to questions from the Committee.

Paul Johansson with the Division of Natural Resources responded to questions from the Committee.

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

Brian Skinner explained his abstract on the rule proposed by the **WV Ethics Commission, Forms, 158CSR20**, stated that the Commission has agreed to technical modifications and responded to questions from the Committee.

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

Rita Pauley reviewed her abstract on the rule proposed by the **State Rail Authority - WV Department of Transportation, Valuation of Used Rolling Stock and Equipment, 172CSR2**.

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

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

**AUGUST INTERIM ATTENDANCE**  
**Legislative Interim Meetings**  
**August 9, 10 and 11, 2010**

Tuesday, August 10, 2010

3:00 pm - 4:00 pm

**Legislative Rule-Making Review Committee**

Earl Ray Tomblin, ex  
officio nonvoting member

Thompson, ex  
officio nonvoting member

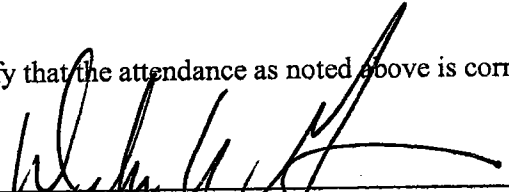
Senate

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

House

Brown, Chair  
Poling, D., Vice Chair ✓  
Fleischauer ✓  
Talbot  
Overington ✓  
Sobonya ✓

I certify that the attendance as noted above is correct.

  
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Staff Person

Debra Graham

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

**TENTATIVE AGENDA**  
**LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**  
**Tuesday, August 10, 2010**  
**3:00 p.m. to 4:00 p.m.**  
**Senate Finance Committee Room**

1. **Approval of Minutes - Meetings of July 21, 2010**
2. **Review of Legislative Rules:**
  - a. **Department of Agriculture**  
*Inspection of Meat and Poultry*  
61CSR16
  - b. **Consolidated Public Retirement Board**  
General Provisions  
162CSR1
  - c. **Consolidated Public Retirement Board**  
Teachers' Defined Contribution System  
162CSR3
  - d. **Consolidated Public Retirement Board**  
Public Employees Retirement System  
162CSR5
  - e. **Consolidated Public Retirement Board**  
Refund, Reinstatement and Loan Interest Factors  
162CSR7
  - f. **Consolidated Public Retirement Board**  
West Virginia State Police  
162CSR9
  - g. **Natural Resources, Division of**  
Prohibitions when Hunting and Trapping  
58CSR47
  - h. **Natural Resources, Division of**  
General Hunting  
58CSR49
  - i. **Ethics Commission, WV**  
Forms  
158CSR20
  - j. **State Rail Authority - WV Department of Transportation**  
*Valuation of Used Rolling Stock and Equipment*  
172CSR2
3. **Other Business**

**TENTATIVE AGENDA**  
**LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**  
**Tuesday, August 10, 2010**  
**3:00 p.m. to 4:00 p.m.**  
**Senate Finance Committee Room**

1. **Approval of Minutes - Meetings of July 21, 2010**
2. **Review of Legislative Rules:**
  - a. **Department of Agriculture**  
*Inspection of Meat and Poultry*  
61CSR1
    - Approve
  - b. **Consolidated Public Retirement Board**  
General Provisions  
162CSR1
    - Approve
  - c. **Consolidated Public Retirement Board**  
Teachers' Defined Contribution System  
162CSR3
    - Approve
  - d. **Consolidated Public Retirement Board**  
Public Employees Retirement System  
162CSR5
    - Approve
  - e. **Consolidated Public Retirement Board**  
Refund, Reinstatement and Loan Interest Factors  
162CSR7
    - Approve
  - f. **Consolidated Public Retirement Board**  
West Virginia State Police  
162CSR9
    - Approve

- g. **Natural Resources, Division of**  
Prohibitions when Hunting and Trapping  
58CSR47
  - Approve
- h. **Natural Resources, Division of**  
General Hunting  
58CSR49
  - Approve
- i. **Ethics Commission, WV**  
Forms  
158CSR20
  - Approve as Modified
- j. **State Rail Authority - WV Department of Transportation**  
*Valuation of Used Rolling Stock and Equipment*  
172CSR2
  - Approve

**3. Other Business**

**AUGUST INTERIM ATTENDANCE**  
**Legislative Interim Meetings**  
**AUGUST 9, 10 & 11, 2010**

**Tuesday, August 9, 2010**

3:00 p.m. - 4:00 p.m.

**Legislative Rule-Making Review Committee**

Earl Ray Tomblin, ex officio nonvoting member

Richard Thompson, ex officio nonvoting member

**Senate**

**House**

- Minard, Chair
- Snyder, Vice Chair
- Prezioso
- Unger
- Boley
- Facemyer

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- Brown, Chair
- Poling, Vice Chair
- Fleischauer
- Talbott
- Overington
- Sobonya

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*NO type on recording device Sen Jim*

- Minard called meeting to order
- Fleischauer ~~Overington~~ moved minutes - Approved
- Unger moved to ~~correct~~ <sup>correct</sup> the minutes to show he was present at the July 21, 2010 meeting
- Agriculture 162CSR16  
Debra explained  
Bob Pitts w/ Ag responded to P's  
Fleischauer moved rule  
Approved
- CPRB 162CSR1  
Debra explained  
Fleischauer moved rule  
Approved



- CPRB 162CSR3  
Debra explained & responded to ?  
Fleischauer moved rule  
Approved
- CPRB 162CSR5  
Debra explained & responded to ?  
Fleischauer moved rule  
Approved
- CPRB 162CSR7  
Debra explained & responded to ?  
Fleischauer moved rule  
Approved
- CPRB 162CSR9  
Debra explained  
Fleischauer moved rule  
Approved
- Natural Resources 58CSR47  
Debra explained & responded to ?  
Paul Johansen w/ DNR responded to ?  
Overington moved rule  
Approved

- Natural Resources 58CSR49  
Debra explained & responded to 7's  
Paul Johansen w/ DNR responded to 7's  
Snyder moved rule  
Approved
- Ethics 158CSR20  
Brian explained & responded to 7's  
Snyder moved rule as modified  
Approved as modified
- State Rail 172CSR2  
Rita explained  
Jacemyr moved rule  
Approved
- Snyder moved to adjourn

**TENTATIVE AGENDA**  
**LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**  
**Tuesday, August 10, 2010**  
**3:00 p.m. to 4:00 p.m.**  
**Senate Finance Committee Room**

1. Approval of Minutes - Meetings of July 21, 2010

*amended minutes  
to show he was  
present.*

2. Review of Legislative Rules:

*approved via.*

Department of Agriculture  
Inspection of Meat and Poultry  
61CSR16

*Dr. Bob Hitts ?*

- Approve

*approved via.*

Consolidated Public Retirement Board  
General Provisions  
162CSR1

- Approve

*approved via.*

Consolidated Public Retirement Board  
Teachers' Defined Contribution System  
162CSR3

- Approve

*approved via.*

Consolidated Public Retirement Board  
Public Employees Retirement System  
162CSR5

- Approve

*approved via.*

Consolidated Public Retirement Board  
Refund, Reinstatement and Loan Interest Factors  
162CSR7

- Approve

*approved via.*

Consolidated Public Retirement Board  
West Virginia State Police  
162CSR9

- Approve