

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-24-80

Time 9:15 A.M.

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1980

— ● —

# ENROLLED

*Committee Substitute for*  
HOUSE BILL No. 1505

(By Mr. Burdette)

— ● —

Passed March 8, 1980

In Effect From Passage



70: 1505

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 1505**

(By MR. BURDETTE)

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[Passed March 8, 1980; in effect from passage.]

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AN ACT to amend article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section one-a, relating to mandating the public service commission to adopt a supplemental rule for reorganization submission of certain reports relating to such reorganization and other matters; filing such rule and reports with Legislature and the time and procedure therefor.

*Be it enacted by the Legislature of West Virginia:*

That article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section one-a, to read as follows:

**ARTICLE 1. GENERAL PROVISIONS.**

**§24-1-1a. Supplemental rule for reorganization; certain reports to be made to the Legislature; filing of such rule and reports and the procedure therefor.**

- 1 (a) The public service commission shall submit to the Legis-
- 2 lature a supplemental rule for reorganization to supplement
- 3 General Order No. 195, Rule for Reorganization, previously
- 4 submitted to the Legislature on the first day of the regular ses-

5 sion one thousand nine hundred eighty. Such supplemental  
6 rule shall specifically address and incorporate to the fullest  
7 extent possible each matter disapproved in a concurrent reso-  
8 lution of the Legislature adopted at its regular session in the  
9 year one thousand nine hundred eighty approving in part and  
10 disapproving in part the said General Order No. 195, Rule  
11 for Reorganization.

12 (b) The commission shall before the second day of January,  
13 one thousand nine hundred eighty-one, adopt such supplement-  
14 tal rule by order, which order shall promulgate the same as a  
15 rule of the commission to be effective upon the date specified  
16 in said order, which date shall be no later than the thirty-first  
17 day of December, one thousand nine hundred eighty-one. Certi-  
18 fied copies of such order and rule shall be filed on the first  
19 day of the regular session of the Legislature, one thousand nine  
20 hundred eighty-one, by the chairman of the commission with  
21 the clerk of each house of the Legislature, the governor and  
22 the secretary of state. The chairman of the commission shall  
23 also file with the office of the secretary of state the receipt of  
24 the clerk of each house and of the governor, which receipt  
25 shall evidence compliance with this section.

26 Upon the filing of a certified copy of such order and rule,  
27 the clerk of each house of the Legislature shall report the same  
28 to their respective houses and the presiding officer thereof  
29 shall refer the same to appropriate standing committee or com-  
30 mittees.

31 Within the limits of funds appropriated therefor, the rule  
32 of the public service commission adopted pursuant to this sec-  
33 tion shall be effective upon the date specified in the order of  
34 the commission promulgating it unless an alternative plan be  
35 adopted by general law or unless the rule is disapproved by a  
36 concurrent resolution of the Legislature adopted prior to ad-  
37 journment sine die of the regular session of the Legislature to  
38 be held in the year one thousand nine hundred eighty-one:  
39 *Provided*, That if such rule is approved in part and disapproved  
40 in part by a concurrent resolution of the Legislature adopted  
41 prior to such adjournment, such rule shall be effective to the  
42 extent and only to the extent that the same is approved by  
43 such concurrent resolution.

44 The rule promulgated and made effective pursuant to this  
45 section shall be effective notwithstanding any other provision  
46 of this code for the promulgation of rules or regulations.

47 (c) In addition to filing the supplemental rule for reorgani-  
48 zation as provided for in subsection (a) of this section, the  
49 chairman of the public service commission shall also file, ac-  
50 cording to procedure provided in subsection (b) of this section,  
51 those additional reports set forth in the concurrent resolution  
52 referred to in subsection (a) of this section.

53 (d) The public service commission may include in such sup-  
54 plemental rule an itemization of which members of the staff  
55 of the public service commission required for the consumer  
56 advocate division shall be exempted from the salary schedules  
57 or any plan adopted by the civil service commission and  
58 identify such staff members by job classification or designation,  
59 together with the salary or salary ranges for each job classifi-  
60 cation or designation.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*James L. Davis*  
Chairman Senate Committee

*Clarence C. Chastain*  
Chairman House Committee

Originated in the House.

Takes effect from passage.

*Todd C. Willis*  
Clerk of the Senate

*Ch Blankenship*  
Clerk of the House of Delegates

*W. T. Broughton*  
President of the Senate

*Clayton M. Lee, Jr.*  
Speaker House of Delegates

The within *ingored* this the *24*  
day of *March*, 1980.

*James R. Royle*  
Governor

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