WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988

ENROLLED

SENATE BILL NO. 397

(By Senator JUDD)

PASSED MARCH 12, 1988
In Effect from Passage
ENROLLED

Senate Bill No. 397

(By Senator Tucker)

[Passed March 12, 1988; in effect from passage.]

AN ACT to amend and reenact sections eleven (ten) (five), sixteen (two-d) (eight), seventeen (two-a) (eight), seventeen (four) (nineteen), seventeen-a (two) (nine), nineteen (two) (five), nineteen (nine) (two), nineteen (twenty-three) (six), twenty (one) (seven), twenty (five-a) (three), twenty (five-e) (six), twenty (five-e) (seven), twenty (five-f) (four), twenty-one (three) (seven), twenty-two (nine) (six), twenty-nine-a (two) (six), thirty (three) (seven), thirty (thirteen) (five), thirty-three (two) (ten), article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article by adding thereto twenty-five new sections, designated sections five-b (one) (thirteen-a), six (two-d) (four), sixteen (three) (four), sixteen (four-c) (twenty-two), sixteen (thirty-one) (eight), nineteen (two) (ten), twenty (two) (twenty-three), twenty (seven) (twenty-two), twenty-one (three-a) (seven), twenty-one (five) (thirteen), twenty-one (five) (fourteen), twenty-two (one) (fifteen), twenty-two-a (three) (four), twenty-nine (twenty-two) (five), twenty-nine-a (two) (seven), twenty-nine-b (one) (three), thirty (thirteen-a) (four), thirty (sixteen) (four), thirty-one (twenty) (nine), thirty-three (twenty-a) (three), thirty-three (twenty-b) (six), forty-seven (one) (nineteen), forty-seven (fourteen) (five), forty-eight-a (two) (seven) and forty-eight-a (two) (eight),
all relating generally to the promulgation of administrative rules and regulations by the various executive or administrative agencies and the procedures relating thereto; the legislative mandate or authorization for the promulgation of certain legislative and procedural rules by various executive and administrative agencies of the state; authorizing certain of such agencies to promulgate certain legislative rules in the form that the rules were filed in the state register; authorizing certain of such agencies to promulgate legislative rules as amended by the Legislature; authorizing certain of such agencies to promulgate certain legislative and procedural rules with various modifications presented to and recommended by the legislative rule-making review committee; directing certain of such agencies to promulgate certain legislative rules filed in the office of the secretary of state during the regular session of the Legislature held in the year one thousand nine hundred eighty-eight; authorizing the commissioner of commerce to promulgate certain legislative rules relating to the public use of West Virginia state parks, forests and hunting and fishing areas, as modified with certain amendments thereto; authorizing the state tax commissioner to promulgate certain legislative rules relating to the telecommunications tax, as modified; authorizing the state tax commissioner to promulgate certain legislative rules relating to the business franchise tax; authorizing the state tax commissioner to promulgate certain legislative rules relating to consumers sales and service and use tax, as modified; authorizing the state tax commissioner to promulgate certain legislative rules relating to appraisal of property for periodic statewide reappraisals for ad valorem property tax purposes, as modified; authorizing the state tax commissioner to promulgate certain legislative rules relating to the severance tax, as modified; authorizing the West Virginia health care cost review authority to promulgate certain legislative rules relating to exemptions from certificate of need review, as modified; authorizing the director of the department of health to promulgate certain legislative rules relating to immunization criteria for transfer students; authorizing the director of the department of health to promulgate certain legislative rules relating to trauma center or facility designation; authorizing the director of the department of
health to promulgate certain legislative rules governing hazardous substances with certain amendments thereto; authorizing the commissioner of highways to promulgate certain legislative rules relating to traffic and safety rules and regulations, as modified, and with certain amendments thereto; authorizing the commissioner of highways to promulgate certain legislative rules relating to construction and reconstruction of state roads; authorizing the commissioner of motor vehicles to promulgate certain legislative rules relating to denial, suspension, revocation or renewal of driving privileges, as modified, and with certain amendments thereto; authorizing the commissioner of agriculture to promulgate certain legislative rules relating to a schedule of charges for inspection services: fruit; authorizing the commissioner of agriculture to promulgate certain legislative rules relating to animal disease control, as modified; authorizing the West Virginia racing commission to promulgate certain legislative rules governing greyhound racing, as modified; authorizing the West Virginia racing commission to promulgate certain legislative rules governing thoroughbred racing, as modified, and with certain amendments thereto; authorizing the department of natural resources to promulgate certain legislative rules relating to WV/NPDES regulations for coal mining facilities; authorizing the director of the department of natural resources to promulgate certain legislative rules governing outfitters and guides with certain amendments thereto; authorizing the water resources board to promulgate certain legislative rules governing water quality standards; authorizing the department of natural resources to promulgate certain legislative rules relating to hazardous waste management; authorizing the commissioner of highways to promulgate certain legislative rules relating to transportation of hazardous wastes upon the roads and highways, as modified; authorizing the department of natural resources to promulgate certain legislative rules relating to solid waste management, as modified; authorizing the director of natural resources to promulgate certain legislative rules relating to boating regulations, as modified, and with certain amendments thereto; authorizing the commissioner of labor to promulgate certain legislative rules relating to a steam boiler inspection fee
schedule; authorizing the commissioner of labor to promulgate certain legislative rules relating to the West Virginia occupational safety and health act, adoption of federal standards; authorizing the commissioner of labor to promulgate certain legislative rules relating to the wage payment and collection act, as modified; authorizing the commissioner of the department of energy to promulgate certain legislative rules governing roof control; authorizing the commissioner of the department of energy to promulgate certain legislative rules relating to blasters certification for surface coal mines and surface areas of underground coal mines, as modified; authorizing the commissioner of the department of energy to promulgate certain legislative rules governing performance standards for blasting on surface mines; authorizing the state lottery commission to promulgate certain legislative rules governing the state lottery, as modified; authorizing the secretary of state to promulgate certain legislative rules relating to standard size and format for rules and procedures for publication of the state register or parts of the state register, as modified; authorizing and directing the department of energy to promulgate certain procedural rules governing requests for information, with certain amendments thereto; authorizing the board of medicine to promulgate certain legislative rules governing fees for services rendered by the board of medicine; authorizing the West Virginia state board of registration for professional engineers to promulgate certain legislative rules relating to the West Virginia state board of registration for professional engineers, as modified; authorizing the West Virginia board of chiropractic examiners to promulgate legislative rules governing the West Virginia board of chiropractic examiners, as modified; authorizing the state board of examiners of land surveyors to promulgate certain legislative rules relating to the practice of land surveying in West Virginia, as modified; authorizing the jail and prison standards commission to promulgate legislative rules relating to West Virginia minimum standards for construction, operation and maintenance of jails; authorizing the insurance commissioner to promulgate certain legislative rules relating to the West Virginia essential property insurance association; authorizing the insurance commissioner to promulgate certain legislative
rules relating to medical malpractice annual reporting requirements; authorizing the insurance commissioner to promulgate certain legislative rules relating to medical malpractice loss experience and loss expense reporting requirements, as modified; authorizing the commissioner of the department of labor to promulgate certain legislative rules governing standards for weights and measures inspectors—adoption of NBS Handbook 130, 1987; authorizing the attorney general to promulgate certain legislative rules relating to the administration of preneed burial contracts, as modified, and with amendments thereto; and authorizing and directing the director of the child advocate office of the department of human services to promulgate certain legislative rules relating to guidelines for child support awards.

Be it enacted by the Legislature of West Virginia:

That sections eleven (ten) (five), sixteen (two-d) (eight), seventeen (two-a) (eight), seventeen (four) (nineteen), seventeen-a (two) (nine), nineteen (two) (five), nineteen (nine) (two), nineteen (twenty-three) (six), twenty (one) (seven), twenty (five-a) (three), twenty (five-e) (six), twenty (five-e) (seven), twenty (five-f) (four), twenty-one (three) (seven), twenty-two (nine) (six), twenty-nine-a (two) (six), thirty (three) (seven), thirty (thirteen) (five), and thirty-three (two) (ten), article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article two be further amended by adding thereto twenty-five new sections, designated sections five-b (one) (thirteen-a), sixteen (two-d) (four), sixteen (three) (four), sixteen (four-c) (twenty-two), sixteen (thirty-one) (eight), nineteen (two) (ten), twenty (two) (twenty-three), twenty (seven) (twenty-two), twenty-one (three-a) (seven), twenty-one (five) (thirteen), twenty-one (five) (fourteen), twenty-two (one) (fifteen), twenty-two-a (three) (four), twenty-nine (twenty-two) (five), twenty-nine-a (two) (seven), twenty-nine-b (one) (three), thirty (thirteen-a) (four), thirty (sixteen) (four), thirty-one (twenty) (nine), thirty-three (twenty-a) (three), thirty-three (twenty-b) (six), forty-seven (one) (nineteen), forty-seven (fourteen) (five), forty-eight-a (two) (seven) and forty-eight-a (two) (eight), all to read as follows:
CHAPTER 64. LEGISLATIVE RULES.

ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE LEGISLATIVE RULES.


The legislative rules filed in the state register on the eighteenth day of February, one thousand nine hundred eighty-seven, modified by the commissioner of commerce to meet the objections of the legislative rule-making review committee and refiled in the state register on the ninth day of October, one thousand nine hundred eighty-seven, relating to the commissioner of commerce (public use of West Virginia state parks, forests, and hunting and fishing areas) are authorized with the amendments as set forth below:

On page 1, section 2.1 after the words “fishing area.” add “This rule does not apply to the erection of temporary blinds or tree stands in public hunting areas.”

And, on page 3, section 2.12 after the word “guests” by adding “licensed hunters and fishermen while hunting or fishing”.

And, on page 5, section 2.22 by adding at the end of the section the following sentence:

“Any person may apply to the Superintendent of the park for a special event permit and pay an application fee for use of firearms during historical reenactments, or the use of hay, straw, boughs, pine needles or similar materials for special events. The Park Superintendent may issue a permit to limit areas of use of any of these exceptions and require damage assessments, if necessary.”

On page 8, section 4.5 by deleting the word “water” and inserting in lieu thereof the word “swimming pool” and on page 9, section 4.5 after the word “water.” add the following “These restrictions do not apply to swimming areas which are natural bodies of water.”


(a) The legislative rules filed in the state register on the twenty-eighth day of September, one thousand eighteen, relating to the state tax commissioner (estimated personal income tax), are authorized with the amendments set forth below:
55.02(a)(2)(on page 182.2) line 18, after the word “profession” strike the words “on his own account” and the comma(.)

55.12(b)(1)(page 182.35) at the end of the section, change the period to a comma, and add the following language: “and in the case of a court appointed agent, a copy of the court order of appointment is sufficient.”

55.12(c)(page 182.36) after the word “for,” strike the word “erroneous.”

(b) The legislative rules filed in the state register on the twenty-eighth day of September, one thousand nine hundred eighty-four, modified by the state tax commissioner to meet the objections of the legislative rule-making review committee and refiled in the state register on the fourteenth day of November, one thousand nine hundred eighty-four, and on the twenty-first day of March, one thousand nine hundred eighty-five, relating to the state tax commissioner (estimated corporation net income tax), are authorized.

(c) The legislative rules filed in the state register on the fourth day of February, one thousand nine hundred eighty-six, modified by the state tax commissioner to meet the objection of the legislative rule-making review committee and refiled in the state register on the fourteenth day of January, one thousand nine hundred eighty-seven, relating to the state tax commissioner (business and occupation tax), are authorized.

(d) The legislative rules filed in the state register on the fourteenth day of August, one thousand nine hundred eighty-seven, modified by the state tax commissioner to meet the objections of the legislative rule-making review committee and refiled in the state register on the fourth day of November, one thousand nine hundred eighty-seven, relating to the state tax commissioner (telecommunications tax) are authorized.

(e) The legislative rules filed in the state register on the fourteenth day of August, one thousand nine hundred eighty-seven, relating to the state tax commissioner (business franchise tax) are authorized.

(f) The legislative rules filed in the state register on the seventeenth day of August, one thousand nine hundred eighty-seven, modified by the state tax commissioner to
meet the objections of the legislative rule-making review
committee and refiled in the state register on the twenty-
second day of January, one thousand nine hundred eighty-
eight, relating to the state tax commissioner (consumers
sales and service tax and use tax) are authorized.

(g) The legislative rules filed in the state register on the
fourteenth day of August, one thousand nine hundred
eighty-seven, modified by the state tax commissioner to
meet the objections of the legislative rule-making review
committee and refiled in the state register on the thirteenth
day of January, one thousand nine hundred eighty-eight,
relating to the state tax commissioner (appraisal of
property for periodic statewide reappraisals for ad valorem
property tax purposes) are authorized.

(h) The legislative rules filed in the state register on the
fourteenth day of August, one thousand nine hundred
eighty-seven, modified by the state tax commissioner to
meet the objections of the legislative rule-making review
committee and refiled in the state register on the twelfth
day of January, one thousand nine hundred eighty-eight,
relating to the state tax commissioner (severance tax) are
authorized.

§64-2-16(2d)(4). West Virginia health care cost review
authority.

The legislative rules filed in the state register on the third
day of September, one thousand nine hundred eighty-
seven, modified by the West Virginia health care cost review
authority to meet the objections of the legislative rule-
making review committee and refiled in the state register on
the twenty-seventh day of January, one thousand nine
hundred eighty-eight, relating to the West Virginia health
care cost review authority (exemptions from certificate of
need review) are authorized. These rules were proposed by
the health care review authority pursuant to sections four
and eight, article two-d, chapter sixteen of this code.

§64-2-16(2d)(8). State board of health; West Virginia health
care cost review authority.

(a) The rules authorized by the Legislature in
subsection (a), section sixteen (2d)(5) of this article were
also proposed by the state board of health pursuant to section eight, article two-d, chapter sixteen of this code.

(b) The legislative rules filed in the state register on the twenty-fifth day of November, one thousand nine hundred eighty-five, modified by the West Virginia health care cost review authority to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-eighth day of January, one thousand nine hundred eighty-six, relating to the West Virginia health care cost review authority (interim standards for lithotripsy services) are authorized.

(c) The legislative rules authorized by the Legislature in section sixteen (two-d) (four) of this article were also proposed by the West Virginia health care cost review authority pursuant to section eight, article two-d, chapter sixteen of this code.

§64-2-16(3)(4). Director of the department of health.

The legislative rules filed in the state register on the eleventh day of September, one thousand nine hundred eighty-seven, relating to the director of the department of health (immunization criteria for transfer students) are authorized.

§64-2-16(4c)(22). Director of the department of health.

The legislative rules filed in the state register on the eighteenth day of November, one thousand nine hundred eighty-seven, relating to the director of the department of health (trauma center or facility designation) are authorized.

§64-2-16(31)(8). Director of the department of health.

The legislative rules filed in the state register on the sixteenth day of November, one thousand nine hundred eighty-seven, relating to the director of the department of health (hazardous substances) are authorized with the amendment set forth below:

Page 33, section 8, line 8 (unnumbered) by adding at the end of section 8 the following proviso: "Provided, That the owner's or operator's submissions are based on the threshold reporting requirements contained in section 5, article 31, chapter 16."
§64-2-17(2a)(8). Commissioner of highways.

(a) The legislative rules filed in the state register on the tenth day of August, one thousand nine hundred eighty-four, relating to the commissioner of highways (construction and reconstruction of state roads), are authorized with the amendments set forth below:

Page 16, Sec. 8.08, line 21 (unnumbered), by inserting after the word "all" the following language: "reasonable and necessary" and after the word "project" inserting the following language: "by the Railroad".

Page 16, Sec. 8.08, line 22, (unnumbered), after the word "the" by striking the words "Railroad's Chief".

Page 19, Sec. 8.08, line 25, (unnumbered), by striking "Railroad's Chief" and adding the following new language:

Any approval by the Department of any activity by the Contractor upon the right-of-way or premises of any Railroad which is provided for in this Section (8.08) (including, but not limited to, approval of work, methods, or procedures of work to be done, and the condition of premises after completion of work by the Contractor) shall in no way create any liability by the Department to the Railroad except to the extent provided otherwise by law and the Contractor shall, during all periods of construction and thereafter, indemnify and save harmless the department from any and all liability to the Railroad or any third parties for any damages as a result of the work of the Contractor, the methods and procedures for performing work, the failure of the Contractor to properly remove equipment, surplus material and other debris upon the Railroad premises, or the condition of the premises of the Railroad during construction or after completion of construction by the Contractor as approved by the Department or otherwise.

Page 18, Sec. 8.08, subdivision (a), line 22, (unnumbered), by striking the words “single limit” and inserting in lieu thereof the following language: “per occurrence”.

Page 19, Sec. 8.08, subdivision (b), line 8, (unnumbered), by striking the words “single limit” and inserting in lieu thereof the following language: “per occurrence”.

Page 19, Sec. 8.08 (c), line 18, (unnumbered), by inserting after the word “occurrence” the following language: “of”;

...
and after the word “injury” insert a comma and strike the word “or”.

(b) The legislative rules filed in the state register on the first day of December, one thousand nine hundred eighty-seven, modified by the commissioner of highways to meet the objections of the legislative rule-making review committee and refiled in the state register on the fourteenth day of January, one thousand nine hundred eighty-eight, relating to the commissioner of highways (traffic and safety rules and regulations) are authorized with the amendment set forth below:

On page 8, section 7.2, line 9, (unnumbered), by striking everything after the word “structures”.

(c) The legislative rules filed in the state register on the first day of December, one thousand nine hundred eighty-seven, relating to the commissioner of highways (construction and reconstruction of state roads) are authorized. These rules were proposed by the commissioner of highways pursuant to section eight, article two-a and section nineteen, article four, chapter seventeen of this code.

§64-2-17(4)(19). Commissioner of highways.

(a) The legislative rules filed in the state register on the fourteenth day of August, one thousand nine hundred eighty-four, modified by the commissioner of highways to meet the objections of the legislative rule-making review committee and refiled in the state register on the fifth day of October, one thousand nine hundred eighty-four, relating to the commissioner of highways (disqualification and suspension of prequalified contractors) are authorized.

(b) The legislative rules authorized by the Legislature in section seventeen (two-a) (eight) of this article were also proposed by the commissioner of highways pursuant to section nineteen, article four, chapter seventeen of this code.


(a) The legislative rules filed in the state register on the second day of December, one thousand nine hundred eighty-two, relating to the commissioner of motor vehicles
By inserting the words "licensed in the United States" after the phrase "physician of the applicant's choice," on page five, line two, and page seven, line one; and by striking out the words "licensed vision specialist" and inserting in lieu thereof the words "an optometrist or ophthalmologist licensed in the United States," on page five, line three, and page seven, line two.

These rules were proposed by the commissioner pursuant to section nine, article two, chapter seventeen-a and section six, article three-c, chapter seventeen-b of this code.

(b) The legislative rules filed in the state register on the twentieth day of November, one thousand nine hundred eighty-four, relating to the commissioner of motor vehicles (titling a vehicle), are authorized.

(c) The legislative rules filed in the state register on the fifth day of August, one thousand nine hundred eighty-five, modified by the commissioner of motor vehicles to meet the objections of the legislative rule-making review committee and refiled in the state register on the fourth day of October, one thousand nine hundred eighty-five, relating to the commissioner of motor vehicles (eligibility for reinstatement following suspension or revocation of driving privileges), are authorized.

(d) The legislative rules filed in the state register on the twenty-fifth day of July, one thousand nine hundred eighty-six, modified by the commissioner of motor vehicles to meet the objections of the legislative rule-making review committee and refiled in the state register on the ninth day of October, one thousand nine hundred eighty-six, relating to the commissioner of motor vehicles (seizure of a driver's license and issuance of a temporary driver's license), are authorized.

(e) The legislative rules filed in the state register on the twenty-fifth day of July, one thousand nine hundred eighty-six, modified by the commissioner of motor vehicles to meet the objections of the legislative rule-making review committee and refiled in the state register on the ninth day of October, one thousand nine hundred eighty-six, relating to the commissioner of motor vehicles (federal safety standards inspection program), are authorized.
The legislative rules filed in the state register on the seventeenth day of August, one thousand nine hundred eighty-seven, modified by the commissioner of motor vehicles to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-second day of September, one thousand nine hundred eighty-seven, relating to the commissioner of motor vehicles (denial, suspension, revocation or renewal of driving privileges) are authorized with the amendment set forth below:

On page 7, section 7.2 after the words "75 m.p.h.,” add the words “except on highways where the established speed limit is 65 m.p.h., and conviction was in excess of 80 m.p.h.”,

And,

On page 14, section 8.1 by inserting the words “not to exceed fifteen hours” after the word “course” and in section 8.2 by inserting the words “not to exceed fifteen hours” after the word “course”.


(a) The legislative rules filed in the state register on the sixth day of April, one thousand nine hundred eighty-three, relating to the commissioner of agriculture (schedule of charges for inspection services: fruit) are authorized.

(b) The legislative rules authorized by the Legislature in section nineteen (two) (ten) of this article were also proposed by the commissioner of agriculture pursuant to section five, article two, chapter nineteen of this code.


The legislative rules filed in the state register on the tenth day of April, one thousand nine hundred eighty-seven, relating to the commissioner of agriculture (schedule of charges for inspection services: fruit) are authorized. These rules were proposed by the commissioner of agriculture pursuant to sections five and ten, article two, chapter nineteen of this code.


(a) The legislative rules filed in the state register on the fourth day of June, one thousand nine hundred eighty-four, relating to the commissioner of agriculture (animal disease control) are authorized.
(b) The legislative rules filed in the state register on the thirteenth day of August, one thousand nine hundred eighty-seven, modified by the commissioner of agriculture to meet the objections of the legislative rule-making review committee and refiled in the state register on the eighth day of September, one thousand nine hundred eighty-seven, relating to the commissioner of agriculture (animal disease control) are authorized.


(a) The legislative rules filed in the state register on the twenty-third day of April, one thousand nine hundred eighty-two, relating to the West Virginia racing commission (Rule 795), are authorized.

(b) The legislative rules filed in the state register on the twenty-third day of April, one thousand nine hundred eighty-two, relating to the West Virginia racing commission (Rule 107), are authorized.

(c) The legislative rules filed with the legislative rule-making review committee on the tenth day of January, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 471), are authorized.

(d) The legislative rules filed in the state register on the tenth day of January, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 526), are authorized.

(e) The legislative rules filed in the state register on the twenty-third day of April, one thousand nine hundred eighty-two, relating to the West Virginia racing commission (Rule 819), are authorized.

(f) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 107) greyhound racing, are authorized.

(g) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 108) greyhound racing are authorized with the amendment set forth below:

Following the word "Association" insert a period and strike the remainder of the sentence.
(h) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 108) thoroughbred racing are authorized with the amendment set forth below:

Following the word “Association” insert a period and strike the remainder of the sentence.

(i) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 392) greyhound racing, are authorized.

(j) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 455) greyhound racing are authorized.

(k) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 609A) greyhound racing are authorized.

(l) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-three, relating to the West Virginia racing commission (Rule 627) greyhound racing are authorized.

(m) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-four, relating to the West Virginia racing commission (Rule 628), are authorized.

(n) The legislative rules filed in the state register on the twentieth day of September, one thousand nine hundred eighty-four, relating to the West Virginia racing commission (greyhound racing — Rule 672) are authorized.

(o) The legislative rules filed in the state register on the twenty-fifth day of September, one thousand nine hundred eighty-four, relating to the West Virginia racing commission (greyhound racing — Rule 672) are authorized.
eighty-four, relating to the West Virginia racing commission (thoroughbred racing — Rule 843), are authorized.

(r) The legislative rules filed in the state register on the sixth day of August, one thousand nine hundred eighty-four, relating to the West Virginia racing commission (greyhound racing — Rule 845-I) are authorized.

(s) The legislative rules filed in the state register on the third day of September, one thousand nine hundred eighty-seven, modified by the West Virginia racing commission to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-first day of December, one thousand nine hundred eighty-seven, relating to the West Virginia racing commission (greyhound racing) are authorized.

(t) The legislative rules filed in the state register on the thirty-first day of July, one thousand nine hundred eighty-seven, modified by the West Virginia racing commission to meet the objections of the legislative rule-making review committee and refiled in the state register on the eighteenth day of December, one thousand nine hundred eighty-seven, relating to the West Virginia racing commission (thoroughbred racing) are authorized with the amendments set forth below:

On page fifty-five, Section 61.3(f), by striking all of subsection (f) and inserting in lieu thereof the existing provisions of subsection (f) as contained in 178 CSR 1, which reads as follows:

All moneys held by any licensee for the payment of outstanding and unredeemed pari-mutuel tickets, if not claimed within ninety (90) days after the close of the horse race meeting in connection with which the tickets were issued, shall be turned over by the licensee to the Racing Commission within fifteen (15) days after the expiration of such ninety (90) day period and the licensee shall give such information as the Racing Commission may require concerning such outstanding and unredeemed tickets; viz. the outs ledger enumerating all outstanding tickets at the close of each meeting, to contain a record of all tickets redeemed in the ninety (90) day following period, together with all redeemed tickets which shall bear the stamp of the
cashier(s) making redemption: A stamp indicating "Outs Ticket." In addition, a statement to accompany said ledger and tickets, setting forth the quantity and amount of each denomination redeemed in the ninety (90) day period, with a grand total indicating the sum paid in "Outs." This sum subtracted from the outs on the closing day to equal the remittance of the Association in settlement of the "Out" account for the meeting.

§64-2-20(1)(7). Department of natural resources.

(a) The legislative rules filed in the state register on the twenty-sixth day of September, one thousand nine hundred eighty-four, relating to the department of natural resources (public use of state parks, forests, hunting and fishing areas), are authorized.

(b) The legislative rules filed in the state register on the ninth day of September, one thousand nine hundred eighty-five, relating to the department of natural resources (WV/NPDES regulations for the coal mining point source category and related sewage facilities), are authorized.

(c) The legislative rules filed in the state register on the thirtieth day of December, one thousand nine hundred eighty-six, relating to the department of natural resources (WV/NPDES program for coal mines and preparation plants, and the refuse and waste therefrom), are authorized with the amendments set forth below:

On page four, § 1.9.1.a by inserting the words "five thousand dollars or" after the words "'significant portion of income' means" and

On page four, § 1.9.1.a by inserting the words "whichever is less," after the words "ten percent or more of gross personal income for a calendar year".

(d) The legislative rules filed in the state register on the twelfth day of August, one thousand nine hundred eighty-seven, relating to the department of natural resources (WV/NPDES regulations for coal mining facilities) are authorized.

(e) The legislative rules authorized by the Legislature in section twenty (seven) (twenty-two) of this article were also proposed by the director of the department of natural resources pursuant to section seven, article one, chapter twenty of this code.
§64-2-20(2)(23). Director of the department of natural resources.

1 The legislative rules filed in the state register on the tenth day of June, one thousand nine hundred eighty-seven, relating to the director of the department of natural resources (outfitters and guides) are authorized.

§64-2-20(5a)(3). Water resources board.

(a) The legislative rules filed in the state register on the sixth day of January, one thousand nine hundred eighty-three, relating to the state water resources board (underground injection control program), are authorized.

(b) The legislative rules filed in the state register on the fifteenth day of November, one thousand nine hundred eighty-three, relating to the state water resources board (special regulations), are authorized.

(c) The legislative rules filed in the state register on the third day of August, one thousand nine hundred eighty-three, relating to the state water resources board (groundwater protection standards), are authorized.

(d) The legislative rules filed in the state register on the fifteenth day of November, one thousand nine hundred eighty-three, relating to the state water resources board (state national pollutant discharge elimination system (NPDES) program), are authorized.

(e) The Legislature hereby authorizes and directs the state water resources board to promulgate rules relating to water quality standards in exact conformity with the rules relating to water quality standards tendered to the secretary of state on the seventh day of March, one thousand nine hundred eighty-four, by the executive secretary of the state water resources board, to be received and filed for inclusion in the state register by the secretary of state.

(f) The legislative rules filed in the state register on the seventh day of January, one thousand nine hundred eighty-five, modified by the water resources board to meet the objections of the legislative rule-making review committee and refiled in the state register on the thirteenth day of February, one thousand nine hundred eighty-five, relating to the water resources board (water quality standards), are authorized.
(g) The legislative rules filed in the state register on the seventeenth day of October, one thousand nine hundred eighty-five, modified by the state water resources board to meet the objections of the legislative rule-making review committee and refiled in the state register on the eighth day of January, one thousand nine hundred eighty-seven, and further modified by the state water resources board to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-fourth day of February, one thousand nine hundred eighty-seven, relating to the state water resources board (water quality standards), are authorized.

(h) The legislative rules filed in the state register on the seventeenth day of October, one thousand nine hundred eighty-five, modified by the state water resources board to meet the objections of the legislative rule-making review committee and refiled in the state register on the eighth day of January, one thousand nine hundred eighty-seven, and further modified by the state water resources board to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-fourth day of February, one thousand nine hundred eighty-seven, relating to the state water resources board (state national pollutant discharge elimination system (NPDES) program), are authorized.

(i) The legislative rules filed in the state register on the seventeenth day of October, one thousand nine hundred eighty-five, and modified by the state water resources board to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-fourth day of February, one thousand nine hundred eighty-seven, relating to the state water resources board (underground injection control program), are authorized.

(j) The legislative rules filed in the state register on the seventeenth day of October, one thousand nine hundred eighty-five, and modified by the state water resources board to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-fourth day of February, one thousand nine hundred eighty-seven, relating to the state water resources board (special regulations), are authorized. These rules were proposed by the state water resources board pursuant to
section three, article five-a, and section five, article five, of
chapter twenty of this code.
(k) The legislative rules filed in the state register on the
thirtieth day of June, one thousand nine hundred eighty-
seven, relating to the water resources board (water quality
standards) are authorized.
§64-2-20(5e)(6). Department of natural resources.
(a) The legislative rules filed in the state register on the
sixth day of January, one thousand nine hundred eighty-
four, relating to the department of natural resources
(hazardous waste management), are authorized.
(b) The legislative rules filed in the state register on the
sixth day of January, one thousand nine hundred eighty-
four, relating to the air pollution control commission (to
prevent and control air pollution from hazardous waste
treatment, storage or disposal facilities)(series XXV), are
authorized with the amendments set forth below:
Page 3, §1.06, change the § title from “Enforcement” to
“Procedure”; place an “(a)” in front of the existing
paragraph and add the following:
“(b) Permit applications filed pursuant to this
regulation shall be processed in accordance with the
permitting procedures as set forth in code §20-5E of this
regulation. Permit procedures set forth in code §16-20 and
any other regulation of this commission are not applicable
to any permit application filed pursuant to this regulation.”
Such rules shall also include a section which shall read as
follows:
“The commission shall report to the legislative rule-
making review committee as required by that committee,
but in no event later than the first day of the regular session
of the Legislature in the year one thousand nine hundred
eighty-five. Such report shall include information
regarding the commission’s data gathering efforts, the
development of compliance programs, the progress in
implementation, and such other matters as the committee
may require, pertaining to the regulations hereby
authorized.”
(c) The legislative rules filed in the state register on the
third day of December, one thousand nine hundred eighty-
four, modified by the department of natural resources to
meet the objections of the legislative rule-making review committee and refiled in the state register on the thirteenth day of February, one thousand nine hundred eighty-five, relating to the department of natural resources (hazardous waste management), are authorized.

(d) The legislative rules filed in the state register on the eleventh day of December, one thousand nine hundred eighty-five, modified by the department of natural resources to meet the objections of the legislative rule-making review committee and refiled in the state register on the twentieth day of February, one thousand nine hundred eighty-six, relating to the department of natural resources (hazardous waste management), are authorized.

(e) The legislative rules filed in the state register on the fifth day of March, one thousand nine hundred eighty-six, relating to the department of natural resources (hazardous waste management), are authorized.

(f) The legislative rules filed in the state register on the tenth day of October, one thousand nine hundred eighty-five, relating to the department of natural resources (hazardous waste management: small quantity generators and waste minimization certification), are authorized with the amendments set forth below:

On page 1, §3.1.4b, delete the word "or" in the reference to paragraph (g) or (j)" and insert in lieu thereof the words "and, if applicable."

(g) The legislative rules filed in the state register on the twenty-sixth day of September, one thousand nine hundred eighty-six, modified by the department of natural resources to meet the objections of the legislative rule-making review committee and refiled in the state register on the ninth day of December, one thousand nine hundred eighty-six, relating to the department of natural resources (hazardous waste management regulations), are authorized.

(h) The legislative rules filed in the state register on the ninth day of January, one thousand nine hundred eighty-seven, relating to the department of natural resources (hazardous waste management regulations), are authorized.

(i) The legislative rules filed in the state register on the fifth day of March, one thousand nine hundred eighty-seven, relating to the department of natural resources
The legislative rules filed in the state register on the seventh day of December, one thousand nine hundred eighty-seven, relating to the department of natural resources (hazardous waste management regulations, series 35) are authorized.


(a) The legislative rules filed in the state register on the twenty-first day of October, one thousand nine hundred eighty-three, relating to the commissioner of highways (transportation of hazardous waste by highway transporters) are authorized with the amendments set forth below:

- Pages 3 and 7 after "40 CFR part 262" add the words "as amended through March 8, 1986,"
- Page 7 after "49 CFR parts 171-179" add the words "as amended through March 8, 1986,"
- Page 11 after "49 CFR part 171.16" add the words "as amended through March 8, 1986."

(b) The legislative rules filed in the state register on the seventh day of September, one thousand nine hundred eighty-four, modified by the commissioner of highways to meet the objections of the legislative rule-making review committee and refiled in the state register on the fifth day of October, one thousand nine hundred eighty-four, relating to the commissioner of highways (transportation of hazardous waste) are authorized with the amendment set forth below:

- Page 5, by amending § 3.01 by adding thereto a new subsection, designated subsection (4), to read as follows: "(4) Before accepting hazardous waste from a rail transporter, a highway transporter must sign and date the manifest and provide a copy to the rail transporter."

(c) The legislative rules filed in the state register on the twelfth day of December, one thousand nine hundred eighty-five, relating to the commissioner of highways (transportation of hazardous wastes by vehicle upon the roads and highways of this state) are authorized with the amendments set forth below:
On page 18, the first line of § 3.03 shall read as follows:
"3.03. Transporters who only accept Hazardous Waste from”.

(d) The legislative rules filed in the state register on the twenty-fifth day of February, one thousand nine hundred eighty-seven, modified by the commissioner of highways to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-third day of November, one thousand nine hundred eighty-seven, relating to the commissioner of highways (transportation of hazardous wastes upon the roads and highways) are authorized.

§64-2-20(5f)(4). Department of natural resources.

(a) The legislative rules filed in the state register on the twentieth day of January, one thousand nine hundred eighty-four, relating to the department of natural resources (solid waste management) are authorized with the amendments set forth below:

Page 9, section 4.04, line five, add the following paragraph:
"Upon request of any applicant, the division shall meet with the applicant for prefiling review of the application. The division, with the cooperation of the solid waste authority, shall assist the applicant in preparing a complete and proper application which would not be rejected as incomplete.”

On page 15, section 6.03 (c) (1) in the first full sentence, after the word “cease”, strike the remainder of the sentence and insert in lieu thereof the words “within fifteen (15) days of receipt of an order of suspension” and in the second sentence strike the word “recommence” and insert the words “continue beyond fifteen (15) days”; (c)(2) in the first full sentence, after the word “cease” by striking out the remainder of the sentence and insert in lieu thereof the words “immediately upon receipt of an order of revocation.”

(b) The legislative rules filed in the state register on the sixteenth day of December, one thousand nine hundred eighty-seven, modified by the department of natural resources to meet the objections of the legislative rule-making review committee and refiled in the state register on
the fourteenth day of January, one thousand nine hundred eighty-eight, relating to the department of natural resources (solid waste management) are authorized.

§64-2-20(7)(22). Director of the department of natural resources.

The legislative rules filed in the state register on the twenty-eighth day of July, one thousand nine hundred eighty-seven, modified by the director of the department of natural resources to meet the objections of the legislative rule-making review committee and refiled in the state register on the seventh day of August, one thousand nine hundred eighty-seven, relating to the director of the department of natural resources (boating regulations) are authorized with the amendment set forth below:

On page 16, section 6.2, line 3 by inserting following the period “This regulation does not apply to licensed outfitters and guides.” These rules were proposed by the director of the department of natural resources pursuant to section seven, article one and section twenty-two, article seven, chapter twenty of this code.


(a) The legislative rules filed in the state register on the tenth day of May, one thousand nine hundred eighty-two, relating to the commissioner of labor (steam boiler rules) as modified by the legislative rule-making review committee are authorized.

(b) The legislative rules filed in the state register on the twelfth day of January, one thousand nine hundred eighty-eight, relating to the commissioner of labor (steam boiler inspection fee schedule) are authorized.

§64-2-21(3a)(7). Commissioner of labor.

The legislative rules filed in the state register on the twenty-second day of December, one thousand nine hundred eighty-seven, relating to the commissioner of labor (West Virginia occupational safety and health act) are authorized.


The legislative rules filed in the state register on the
twenty-second day of December, one thousand nine hundred eighty-seven, modified by the commissioner of labor to meet the objections of the legislative rule-making review committee and refiled in the state register on the twentieth day of January, one thousand nine hundred eighty-eight, relating to the commissioner of labor (wage payment and collection act) are authorized. These rules were proposed by the commissioner of labor pursuant to sections thirteen and fourteen, article five, chapter twenty-one of this code.


The legislative rules authorized by the Legislature in section twenty-one (five) (thirteen) of this article were also proposed by the commissioner of labor pursuant to section fourteen, article five, chapter twenty-one of this code.


The legislative rules filed in the state register on the twentieth day of April, one thousand nine hundred eighty-seven, relating to the commissioner of the department of energy (roof control) are authorized.

§64-2-22(9)(6). Commissioner of the department of energy.

(a) The legislative rules filed in the state register on the fourteenth day of November, one thousand nine hundred eighty-six, modified by the commissioner of the department of energy to meet the objections of the legislative rule-making review committee and refiled in the state register on the sixteenth day of December, one thousand nine hundred eighty-six, relating to the commissioner of the department of energy (standards for certification of coal mine electricians), are authorized.

(b) The legislative rules filed in the state register on the fifteenth day of December, one thousand nine hundred eighty-six, modified by the commissioner of the department of energy to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-first day of January, one thousand nine hundred eighty-seven, relating to the commissioner of the department of energy (safety training program for prospective underground coal miners in West Virginia), are authorized.
(c) The legislative rules filed in the state register on the fifteenth day of December, one thousand nine hundred eighty-six, modified by the commissioner of the department of energy to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-first day of January, one thousand nine hundred eighty-seven, relating to the commissioner of the department of energy (safety training program for prospective surface coal miners in West Virginia), are authorized.

(d) The legislative rules filed in the state register on the third day of April, one thousand nine hundred eighty-seven, relating to the commissioner of the department of energy (standards for certification of underground belt examiners for underground coal mines), are authorized.

(e) The legislative rules filed in the state register on the twelfth day of May, one thousand nine hundred eighty-seven, modified by the commissioner of the department of energy to meet the objections of the legislative rule-making review committee and refiled in the state register on the fourteenth day of August, one thousand nine hundred eighty-seven, relating to the commissioner of the department of energy (blasters certification for surface coal mines and surface areas of coal mines) are authorized.

§64-2-22a(3)(4). Commissioner of the department of energy.

The legislative rules filed in the state register on the ninth day of April, one thousand nine hundred eighty-seven, relating to the commissioner of the department of energy (performance standards for blasting on surface mines) are authorized.

§64-2-29(22)(5). State lottery commission.

The legislative rules filed in the state register on the twenty-first day of April, one thousand nine hundred eighty-seven, modified by the state lottery commission to meet the objections of the legislative rule-making review committee and refiled in the state register on the fourteenth day of August, one thousand nine hundred eighty-seven, relating to the state lottery commission (state lottery) are authorized.
§64-2-29a(2)(6). Secretary of state.

(a) The legislative rules filed in the state register on the fifteenth day of April, one thousand nine hundred eighty-five, modified by the secretary of state to meet the objections of the legislative rule-making review committee and refiled in the state register on the eighth day of October, one thousand nine hundred eighty-five, relating to the secretary of state (standard size and format for rules and related documents filed in the secretary of state’s office) are authorized.

(b) The legislative rules filed in the state register on the seventeenth day of August, one thousand nine hundred eighty-seven, modified by the secretary of state to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-third day of September, one thousand nine hundred eighty-seven, relating to the secretary of state (standard size and format for rules and procedures for publication of the state register or parts of the state register) are authorized. These rules were proposed by the secretary of state pursuant to sections six and seven, article two, chapter twenty-nine-a of this code.

§64-2-29b(1)(3). Freedom of information act; department of energy.

The Legislature hereby authorizes and directs the department of energy to promulgate the procedural rules filed in the state register on the twenty-first day of October, one thousand nine hundred eighty-seven, relating to the department of energy (requests for information) with the amendments set forth below:

On page two, subsection 3.1, by striking subdivision (d) and renumbering the remaining subdivisions, and

On page three, section 6, by striking all of subsection 6.1 and inserting in lieu thereof, the following:
6.1 The department shall establish fixed rate fees for reproduction of documents, records, and files on the basis of the actual cost of such reproduction and shall document such costs: Provided, That where total costs are less than five dollars, no fee shall be charged.

§64-2-30(3)(7). Board of medicine.

(a) The legislative rules filed in the state register on the twelfth day of May, one thousand nine hundred eighty-three, relating to the board of medicine (licensing, disciplinary and complaint procedures; podiatry; physicians assistants) are authorized with the modifications set forth below:

§24.12.
(b) It shall be the responsibility of the supervising physician to obtain consent in writing from the patient before Type A physician assistants employed in a satellite clinic may render general medical or surgical services, except in emergencies.

§24.16.
(p) No physician assistant shall render nonemergency outpatient medical services until the patient has been informed that the individual providing care is a physician assistant.

(b) The legislative rules filed in the state register on the twenty-sixth day of November, one thousand nine hundred eighty-five, modified by the board of medicine to meet the objections of the legislative rule-making review committee and refiled in the state register on the seventeenth day of January, one thousand nine hundred eighty-six, relating to the board of medicine (licensing, disciplinary and complaint procedures; podiatry; physicians assistants) are authorized. These rules were proposed by the board of medicine pursuant to sections seven and sixteen, article three, chapter thirty of this code.

(c) The legislative rules filed in the state register on the eighth day of March, one thousand nine hundred eighty-five, modified by the West Virginia board of medicine to meet the objections of the legislative rule-making review committee and refiled in the state register on the eighteenth day of December, one thousand nine hundred eighty-five, relating to the West Virginia board of medicine (rules
governing the approval of medical schools not accredited by
the liaison committee on medical education) are authorized.
These rules were proposed by the West Virginia board of
medicine pursuant to sections seven and ten, article three,
chapter thirty of this code.
(d) The legislative rules filed in the state register on the
third day of June, one thousand nine hundred eighty-seven,
relating to the board of medicine (fees for services rendered
by the board of medicine) are authorized.
§64-2-30(13)(5). West Virginia state board of registration for
professional engineers.
(a) The legislative rules filed in the state register on the
twenty-ninth day of November, one thousand nine hundred
eighty-five, modified by the West Virginia state board of
registration for professional engineers to meet the
objections of the legislative rule-making review committee
and refiled in the state register on the twenty-eighth day of
January, one thousand nine hundred eighty-six, relating to
the West Virginia state board of registration for
professional engineers (legislative rules governing the West
Virginia state board of registration for professional
engineers) are authorized.
(b) The legislative rules filed in the state register on the
twenty-third day of December, one thousand nine hundred
eighty-seven, modified by the West Virginia state board of
registration for professional engineers to meet the
objections of the legislative rule-making review committee
and refiled in the state register on the twenty-ninth day of
January, one thousand nine hundred eighty-eight, relating
to the West Virginia state board of registration for
professional engineers (rules of the West Virginia state
board of registration for professional engineers) are
authorized.
The legislative rules filed in the state register on the
thirty-first day of July, one thousand nine hundred eighty-
seven, modified by the state board of examiners of land
surveyors to meet the objections of the legislative rule-
making review committee and refiled in the state register on
the twenty-eighth day of January, one thousand nine
§64-2-30(16)(4). State boards of examination or registration; West Virginia board of chiropractic examiners.

The legislative rules filed in the state register on the twenty-sixth day of October, one thousand nine hundred eighty-seven, modified by the West Virginia board of chiropractic examiners to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-seventh day of January, one thousand nine hundred eighty-eight, relating to the West Virginia board of chiropractic examiners (West Virginia board of chiropractic examiners) are authorized.


The legislative rules filed in the state register on the fifth day of November, one thousand nine hundred eighty-seven, relating to the jail and prison standards commission (West Virginia minimum standards for construction, operation, and maintenance of jails) are authorized.


(a) The legislative rules filed in the state register on the eighteenth day of October, one thousand nine hundred eighty-three, relating to the insurance commissioner (excess line brokers), are authorized.

(b) The legislative rules filed in the state register on the eighteenth day of August, one thousand nine hundred eighty-six, modified by the insurance commissioner to meet the objection of the legislative rule-making review committee and refiled in the state register on the twelfth day of December, one thousand nine hundred eighty-six, relating to the insurance commissioner (examiners’ compensation, qualification and classification), are authorized.

(c) The legislative rules authorized by the Legislature in section thirty-three (twenty-a) (three) of this article were also proposed by the insurance commissioner pursuant to section ten, article two, chapter thirty-three of this code.
(d) The legislative rules authorized by the Legislature in section thirty-three (twenty-b)(six) of this article were also proposed by the insurance commissioner pursuant to section ten, article two, chapter thirty-three of this code.


The legislative rules filed in the state register on the twentieth day of February, one thousand nine hundred eighty-seven, relating to the insurance commissioner (West Virginia essential property insurance association) are authorized. These rules were proposed by the insurance commissioner pursuant to section ten, article two and section three, article twenty-a, chapter thirty-three of this code.


(a) The legislative rules filed in the state register on the twenty-ninth day of May, one thousand nine hundred eighty-seven, relating to the insurance commissioner (medical malpractice annual reporting requirements) are authorized. These rules were proposed by the insurance commissioner pursuant to section ten, article two and section six, article twenty-b, chapter thirty-three of this code.

(b) The legislative rules filed in the state register on the thirty-first day of July, one thousand nine hundred eighty-seven, modified by the insurance commissioner to meet the objections of the legislative rule-making review committee and refiled in the state register on the seventh day of November, one thousand nine hundred eighty-seven, relating to the insurance commissioner (medical malpractice loss experience and loss expense reporting requirements) are authorized. These rules were proposed by the insurance commissioner pursuant to section ten, article two and section six, article twenty-b of chapter thirty-three of this code.


The legislative rules filed in the state register on the sixteenth day of November, one thousand nine hundred eighty-seven, relating to the commissioner of the department of labor (standards for weights and measures
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5 inspectors—adoption of NBS Handbook 130, 1987) are
6 authorized.


1 The legislative rules filed in the state register on the
twenty-third day of September, one thousand nine hundred
eighty-seven, modified by the attorney general to meet the
objections of the legislative rule-making review committee
and refiled in the state register on the twenty-fifth day of
November, one thousand nine hundred eighty-seven,
relating to the attorney general (administration of preneed
burial contracts) are authorized with the following
amendments set forth below:

On page 9, section 8.2 by striking the words “within thirty
days after the death of a contract beneficiary,” and
inserting in lieu thereof the following: “On or before the
first day of January and the first day of July of each year,”
and after the word “provided” by striking the comma and
inserting in lieu thereof “after the death of any contract
beneficiary during the previous six-month period,”

And,

On page 12, section 9.7 by striking all of 9.7,

And,

Beginning on page 15, by striking the entirety of section
15,

And,

Beginning on page 18, by striking the entirety of section
16, and by renumbering the remaining sections.

§64-2-48a(2)(7). Department of human services; director of the
child advocate office.

1 The legislative rules authorized by the Legislature in
section forty-eight-a (two) (eight) of this article were also
proposed by the director of the child advocate office
pursuant to section seven, article two, chapter forty-eight-a
of this code.

§64-2-48a(2)(8). Department of human services; director of the
child advocate office.

1 The Legislature hereby authorizes and directs the
director of the child advocate office of the department of
human services to promulgate rules relating to guidelines
for child support awards in exact conformity with the rules relating to guidelines for child support awards tendered to the secretary of state by the Senate committee on the judiciary on the twelfth day of March, one thousand nine hundred eighty-eight.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The withinApproved...this the 30th
day of ...1988.

Governor