

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1996



ENROLLED

HOUSE BILL No. 4310

(By Delegates Douglas, Gallagher, Faircloth,  
Compton, Linch and Riggs)



Passed March 9, 1996

In Effect Ninety Days From Passage

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1996

CS 4310 - 1 - 2/27/96

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**H. B. 4310**

(BY DELEGATES DOUGLAS, GALLAGHER, FAIRCLOTH, COMPTON,  
LINCH AND RIGGS)

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AN ACT to amend chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article eleven, relating generally to the promulgation of administrative rules by the various executive and administrative agencies and the procedures relating thereto; and authorizing certain of these agencies to update and make technical corrections to legislative rules.

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

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

**ARTICLE 11. TECHNICAL CORRECTIONS TO THE CODE OF STATE RULES.**

**§64-11-1. Purpose.**

- 1 (a) It is hereby declared to be the purpose and policy
- 2 of the Legislature in enacting this article to allow technical
- 3 corrections to the code of state rules. Corrections made
- 4 under this article shall be limited to those necessary to
- 5 correct and update the names of agencies and their subdi-
- 6 visions and boards, addresses, phone numbers, code refer-
- 7 ences, gender specific pronouns and any other changes

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8 considered necessary which do not effect substantive  
9 changes in the rules. Any amendment contained in this  
10 article which imparts the force of law, supplies a basis for  
11 the imposition of civil or criminal liability, or grants or  
12 denies a specific benefit is void and the language of the  
13 rule in effect immediately prior to the passage of the  
14 amendment remains in full force and effect.

15 (b) The secretary of state is hereby granted the author-  
16 ity to correct inconsistencies with regard to effective dates  
17 of rules and numbers of series, pages, sections or subsec-  
18 tions contained in this article to meet the purpose and  
19 intent of the amendments offered in this article.

**§64-11-2. Radiologic technologists board of examiners.**

1 The legislative rule relating to the radiologic technolo-  
2 gists board of examiners (rules and regulations of the West  
3 Virginia board of examiners of radiologic technologists,  
4 18 CSR 1), effective the twenty-third day of May, one  
5 thousand nine hundred eighty-four, is reauthorized with  
6 the following amendment:

7 "On page 1, subsection 1.7, by striking out the words  
8 'Room 514, Medical Arts Bldg., 1021 Quarrier St.,  
9 Charleston, West Virginia 25301' and inserting in lieu  
10 thereof the words 'Room 303, 3049 Robert C. Byrd Drive,  
11 Beckley, West Virginia 25801'."

**§64-11-3. Division of labor.**

1 (a) The legislative rule relating to the division of labor  
2 (supervision of private employment agencies, legislative  
3 and procedural rules and regulations, 42 CSR 1), effective  
4 the thirty-first day of December, one thousand nine hun-  
5 dred eighty-two, is reauthorized with the following amend-  
6 ments:

7 "Beginning on page 1, in the title, and continuing  
8 throughout the text of the rule, by striking out the words  
9 'DEPARTMENT OF LABOR' and inserting in lieu thereof  
10 the words 'DIVISION OF LABOR';

11 And,

12 On page 3, subsection 7.1(d), by inserting the words

13 'or her' immediately following the word 'his'."

14 (b) The legislative rule relating to the division of  
15 labor (West Virginia safety code for aerial passenger  
16 tramways, lifts and tows, 42 CSR 2), effective the  
17 twenty-sixth day of May, one thousand nine hundred  
18 eighty-three, is reauthorized with the following amend-  
19 ment:

20 "On page 1, in the title, by striking out the words 'DE-  
21 PARTMENT OF LABOR' and inserting in lieu thereof the  
22 words 'DIVISION OF LABOR'."

23 (c) The legislative rule relating to the division of labor  
24 (steam boiler inspection, 42 CSR 3), effective the first day  
25 of April, one thousand nine hundred eighty-eight, is  
26 reauthorized with the following amendments:

27 "Beginning on page 1, in the title, and continuing  
28 throughout the text of the rule, by striking out the words  
29 'DEPARTMENT OF LABOR' and inserting in lieu thereof  
30 the words 'DIVISION OF LABOR';

31 Beginning on page 1, subsection 2.2, and continuing  
32 throughout the text of the rule, by inserting the words 'or  
33 her' immediately following the word 'his';

34 Beginning on page 2, subsection 2.2, and continuing  
35 throughout the text of the rule, by inserting the words 'or  
36 her' immediately following the word 'him';

37 Beginning on page 3, subsection 2.11, and continuing  
38 throughout the text of the rule, by inserting the words 'or  
39 herself' immediately following the word 'himself';

40 Beginning on page 4, subsection 2.15, and continuing  
41 throughout the text of the rule, by inserting the words 'or  
42 she' immediately following the word 'he';

43 And,

44 Beginning on page 6, subsection 2.27, and continuing  
45 throughout the text of the rule, by striking out the words  
46 'this Department' and inserting in lieu thereof the words  
47 'the Division of Labor'."

48 (d) The legislative rule relating to the division of

49 labor (hazardous chemical substances, 42 CSR 4), effective  
50 the thirty-first day of December, one thousand nine hun-  
51 dred eighty-two, is reauthorized with the following amend-  
52 ment:

53 "On page 1, in the title, by striking out the words 'DE-  
54 PARTMENT OF LABOR' and inserting in lieu thereof the  
55 words 'DIVISION OF LABOR'."

56 (e) The legislative rule relating to the division of labor  
57 (wage payment and collection act, 42 CSR 5), effective the  
58 twenty-ninth day of May, one thousand nine hundred  
59 ninety, is reauthorized with the following amendments:

60 "Beginning on page 1, in the title, and continuing  
61 throughout the text of the rule, by striking out the word  
62 'DEPARTMENT' and inserting in lieu thereof the word  
63 'DIVISION';

64 Beginning on page 2, subsection 2.5(b), and continu-  
65 ing throughout the text of the rule, by inserting the words  
66 'or her' immediately following the word 'his';

67 Beginning on page 4, subsection 9.1, and continuing  
68 throughout the text of the rule, by inserting the words 'or  
69 she' immediately following the word 'he';

70 On page 1, subsection 2.4, by striking the words 'the  
71 Wage and Hour Division of the Labor Department' and  
72 inserting in lieu thereof the words 'the Wage and Hour  
73 Section of the Division of Labor';

74 And,

75 On page 7, subsection 14.3, in two occurrences in the  
76 paragraph numbered 6., by inserting the words 'or her'  
77 immediately following the word 'him'."

78 (f) The legislative rule relating to the division of labor  
79 (polygraph examinations, limitations of use, requirements,  
80 licenses and penalties, 42 CSR 6), effective the sixth day of  
81 June, one thousand nine hundred eighty-five, is  
82 reauthorized with the following amendments:

83 "On page 1, in the title, by striking out the words 'DE-  
84 PARTMENT OF LABOR' and inserting in lieu thereof the  
85 words 'DIVISION OF LABOR';

86 And,

87 On page 1, subsection 2.1, by inserting the words 'or  
88 her' immediately following the word 'his'."

89 (g) The legislative rule relating to the division of  
90 labor (rules and regulations for the West Virginia prevail-  
91 ing wage act, 42 CSR 7), effective the thirty-first day of  
92 December, one thousand nine hundred eighty-two, is  
93 reauthorized with the following amendments:

94 "Beginning on page 1, subsection 1.1, and continuing  
95 throughout the text of the rule, by inserting the words 'or  
96 her' immediately following the word 'his';

97 On page 1, in the title, by striking out the words 'DE-  
98 PARTMENT OF LABOR' and inserting in lieu thereof the  
99 words 'DIVISION OF LABOR';

100 On page 1, subsection 2.3, by striking out the word  
101 'Department' and inserting in lieu thereof the word 'Divi-  
102 sion' in each of the two occurrences;

103 On page 4, subsection 3.1(m), by striking out the  
104 words 'No person, for himself or another, shall not request'  
105 and inserting in lieu thereof the words 'No person, whether  
106 personally or for another, shall request';

107 On page 4, subsection 5.1, by striking out the word  
108 'Department' and inserting in lieu thereof the word 'Divi-  
109 sion' in each of the two occurrences;

110 On page 6, subsection 8.3, by striking out the words  
111 'for himself or another' and inserting in lieu thereof the  
112 words 'whether personally or for another';

113 And,

114 On page 7, subsection 12.1(b)(1), by inserting the  
115 words 'or she' immediately following the word 'he' in each  
116 of the two occurrences."

117 (h) The legislative rule relating to the division of  
118 labor (minimum wages and maximum hours standards  
119 regulations, 42 CSR 8), effective the thirty-first day of  
120 December, one thousand nine hundred eighty-two, is  
121 reauthorized with the following amendments:

122 "Beginning on page 1, subsection 2.3, and continuing  
123 throughout the text of the rule, by inserting the words 'or  
124 her' immediately following the word 'his';

125 Beginning on page 3, subsection 5.1, and continuing  
126 throughout the text of the rule, by inserting the words 'or  
127 her' immediately following the word 'him';

128 Beginning on page 3, subsection 6.1, and continuing  
129 throughout the text of the rule, by inserting the words 'or  
130 she' immediately following the word 'he';

131 On page 1, in the title, by striking out the words 'DE-  
132 PARTMENT OF LABOR' and inserting in lieu thereof the  
133 words 'DIVISION OF LABOR';

134 On page 1, subsection 2.3, by striking out the word  
135 'Department' and inserting in lieu thereof the word 'Divi-  
136 sion';

137 On page 1, subsection 2.5, by striking out the word  
138 'Department' and inserting in lieu thereof the word 'Divi-  
139 sion' in each of the two occurrences;

140 On page 1, subsection 2.6, by striking out the word  
141 'Division' and inserting in lieu thereof the word 'Section' in  
142 each of the two occurrences;

143 On page 2, subsection 3.3, in the subsection heading,  
144 by striking out the word 'department' and inserting in lieu  
145 thereof the word 'division';

146 On page 2, subsection 3.3, by striking out the words  
147 'The Wage and Hour Division of the West Virginia Depart-  
148 ment of Labor' and inserting in lieu thereof the words 'The  
149 Wage and Hour Section of the West Virginia Division of  
150 Labor';

151 On page 3, subsection 4.4, by striking out the word  
152 'Division' and inserting in lieu thereof the word 'Section';

153 On page 4, subsection 7.2, by striking out the word  
154 'Department' and inserting in lieu thereof the word 'Divi-  
155 sion';

156 On page 7, subsection 8.17, by striking out the word  
157 'Salesmen' and inserting in lieu thereof the word 'Salesper-

158 sons', by striking out the word 'salesman' and inserting in  
159 lieu thereof the word 'salesperson', and by striking out the  
160 word 'partsmen' and inserting in lieu thereof the word  
161 'partsperson'."

162 (i) The legislative rule relating to the division of labor  
163 (child labor, 42 CSR 9), effective the fourteenth day of  
164 April, one thousand nine hundred seventy-five, is  
165 reauthorized with the following amendments:

166 "Beginning on page 1, in the title, and continuing  
167 throughout the text of the rule, by striking out the words  
168 'DEPARTMENT OF LABOR' and inserting in lieu thereof  
169 the words 'DIVISION OF LABOR';

170 Beginning on page 7, subsection 8.2(c)(2), and con-  
171 tinuing throughout the text of the rule, by inserting the  
172 words 'or her' immediately following the word 'his';

173 Beginning on page 14, subsection 9.1, and continuing  
174 throughout the text of the rule, by inserting the words 'or  
175 she' immediately following the word 'he';

176 On page 8, subsection 8.4(b)(10), by inserting the  
177 words 'or herself' immediately following the word 'him-  
178 self';

179 And,

180 On page 15, subsection 10.1(a)(1), by inserting the  
181 words 'or her' immediately following the word 'him'."

182 (j) The legislative rule relating to the division of labor  
183 (bedding and upholstered furniture, 42 CSR 12), effective  
184 the thirty-first day of December, one thousand nine hun-  
185 dred eighty-two, is reauthorized with the following amend-  
186 ments:

187 "Beginning on page 1, in the title, and continuing  
188 throughout the text of the rule, by striking out the word  
189 'DEPARTMENT' and inserting in lieu thereof the word  
190 'DIVISION';

191 On page 1, subsection 2.3, by striking out the words  
192 'Division refers to the Division of weights, measures and  
193 bedding' and by inserting in lieu thereof the words 'Sec-  
194 tion refers to the weights, measures and bedding section';

195 On page 2, subsection 3.1, by striking out the words 'a  
196 division entitled "The Division of Weights, Measures and  
197 Bedding" ' and by inserting in lieu thereof the words  
198 'section entitled "The Weights, Measures and Bedding  
199 Section' ";

200 And,

201 On page 2, subsection 3.1, in the third sentence, by  
202 striking out the word 'Division' and inserting the word  
203 'Section'."

204 (k) The legislative rule relating to the division of  
205 labor (safety glazing act, 42 CSR 13), effective the sixth  
206 day of August, one thousand nine hundred seventy-one, is  
207 reauthorized with the following amendment:

208 "Beginning on page 1, in the title, and continuing  
209 throughout the text of the rule, by striking out the words  
210 'DEPARTMENT OF LABOR' and inserting in lieu thereof  
211 the words 'DIVISION OF LABOR'."

212 (l) The legislative rule relating to the division of labor  
213 (building construction, highway construction and heavy  
214 construction, 42 CSR 14), effective the sixth day of Janu-  
215 ary, one thousand nine hundred ninety-four, is  
216 reauthorized with the following amendment:

217 "Beginning on page 1, in the title, and continuing  
218 throughout the text of the rule, by striking out the words  
219 'DEPARTMENT OF LABOR' and inserting in lieu thereof  
220 the words 'DIVISION OF LABOR'."

221 (m) The legislative rule relating to the division of  
222 labor (West Virginia occupational safety and health act -  
223 adoption of federal standards, 42 CSR 15), effective the  
224 first day of April, one thousand nine hundred  
225 eighty-eight, is reauthorized with the following amend-  
226 ment:

227 "Beginning on page 1, in the title, and continuing  
228 throughout the text of the rule, by striking out the words  
229 'DEPARTMENT OF LABOR' and inserting in lieu thereof  
230 the words 'DIVISION OF LABOR'."

231 (n) The legislative rule relating to the division of

232 labor (standards for weights and measures inspectors -  
 233 adoption of NBS handbook 130, 1987, 42 CSR 16), effec-  
 234 tive the first day of April, one thousand nine hundred  
 235 eighty-eight, is reauthorized with the following amend-  
 236 ment:

237 "On page 1, in the title, by striking out the words 'DE-  
 238 PARTMENT OF LABOR' and inserting in lieu thereof the  
 239 words 'DIVISION OF LABOR'."

240 (o) The legislative rule relating to the division of  
 241 labor (amusement rides and amusement attractions safety  
 242 act, 42 CSR 17), effective the fifteenth day of June, one  
 243 thousand nine hundred eighty-nine, is reauthorized with  
 244 the following amendments:

245 "Beginning on page 1, subsection 2.6, and continuing  
 246 throughout the text of the rule, by inserting the words 'or  
 247 her' immediately following the word 'his';

248 Beginning on page 2, and continuing throughout the  
 249 text of the rule, by striking out the word 'department' and  
 250 inserting in lieu thereof the word 'division';

251 On page 1, in the title, by striking out the words 'DE-  
 252 PARTMENT OF LABOR' and inserting in lieu thereof the  
 253 words 'DIVISION OF LABOR';

254 On page 1, SUBSECTION 2.6, by striking out the  
 255 words 'Department of Labor' and inserting in lieu thereof  
 256 the words 'Division of Labor';

257 And,

258 On page 1, subsection 2.7, by striking out the words  
 259 'Department. The West Virginia Department of Labor to  
 260 include all its divisions and personnel.' and inserting in  
 261 lieu thereof the words 'Division. The West Virginia Divi-  
 262 sion of Labor to include all its sections and personnel.'"

**§64-11-4. Water development authority.**

1 (a) The legislative rule relating to the water develop-  
 2 ment authority (requirements governing disbursement of  
 3 loans and grants to governmental agencies for the design,  
 4 acquisition or construction of water development projects,  
 5 44 CSR 1), effective the first day of June, one thousand

6 nine hundred eighty-seven, is reauthorized with the fol-  
7 lowing amendments:

8 "Beginning on page 1, section 2, and continuing  
9 throughout the text of the rule, by striking out the words  
10 'article five-c, chapter twenty of the Code of West Virginia'  
11 and inserting in lieu thereof the words 'W. Va. Code Chap-  
12 ter 22C, Article 1';

13 Beginning on page 1, subsection 2.1.1, and continuing  
14 throughout the text of the rule, by striking out the words  
15 'Department of Natural Resources' and inserting in lieu  
16 thereof the words 'Division of Environmental Protection';

17 Beginning on page 1, subsection 2.1.1, and continuing  
18 throughout the text of the rule, by striking out the words  
19 'State Water Resources Board' and inserting in lieu thereof  
20 the words 'State Environmental Quality Board';

21 Beginning on page 13, subsection 8.1, and continuing  
22 throughout the text of the rule, by striking out the words  
23 'Division of Water Resources' and inserting in lieu thereof  
24 the words 'Office of Water Resources';

25 On page 1, subsection 1.2, by striking out the code  
26 reference '§20-5C-6' and inserting in lieu thereof the code  
27 reference '§22C-1-6(1)';

28 And,

29 On page 16, subsection 9.4.3(a), by striking out the  
30 words 'Water Resources Board for the State of West Vir-  
31 ginia' and inserting in lieu thereof the words 'State Envi-  
32 ronmental Quality Board'."

33 (b) The legislative rule relating to the water develop-  
34 ment authority (requirements governing disbursement of  
35 loans and grants to governmental agencies for the acquisi-  
36 tion or construction of water development projects (water  
37 facilities), 44 CSR 2), effective the first day of July, one  
38 thousand nine hundred eighty-five, is reauthorized with  
39 the following amendments:

40 "Beginning on page 1, section 2, and continuing  
41 throughout the text of the rule, by striking out the words  
42 'article five-c, chapter twenty of the Code of West Virginia'

43 and inserting in lieu thereof the words 'W. Va. Code Chap-  
44 ter 22C, Article 1';

45 On page 1, subsection 1.2, by striking out the code  
46 reference '§20-5C-6' and inserting in lieu thereof the code  
47 reference '§22C-1-6(1)';

48 And,

49 On page 3, subsection 3.5.2(i), by striking out the  
50 words 'Department of Health' and inserting in lieu thereof  
51 the words 'Bureau of Public Health'."

52 (c) The legislative rule relating to the water develop-  
53 ment authority (rule confirming existing practices and  
54 establishing additional, new procedures in relation to pro-  
55 viding public notice of date, time, place and purpose of  
56 meetings of West Virginia water development board, 44  
57 CSR 3), effective the seventh day of July, one thousand  
58 nine hundred eighty-nine, is reauthorized with the follow-  
59 ing amendment:

60 "On page 1, subsection 1.2, by striking out the code  
61 reference '§20-5C-6(1)' and inserting in lieu thereof the  
62 code reference '§22C-1-6(1).' "

**§64-11-5. Environmental quality board.**

1 The legislative rule relating to the environmental qual-  
2 ity board (requirements governing groundwater standards,  
3 46 CSR 12), effective the twenty-fifth day of August, one  
4 thousand nine hundred ninety-three, is reauthorized with  
5 the following amendments:

6 "On page 1, in the title of the rule, by striking out the  
7 words 'Water Resources Board' and inserting in lieu there-  
8 of the words 'Bureau of the Environment' on one line and  
9 on the next line the words 'Environmental Quality Board';

10 On page 1, subsection 1.2, by striking out the code  
11 references '§§20-5M-4 and 20-5-5' and inserting in lieu  
12 thereof the code references '§22-12-4 and §22B-3-4';

13 On page 1, subsection 2.2, by striking out the words  
14 'State Water Resources Board' and inserting in lieu thereof  
15 the words 'Environmental Quality Board';

16 On page 2, subsection 3.4(a), by striking out the code  
17 reference '§22B' and inserting in lieu thereof the words  
18 'Chapter 22, Articles 6, 7, 8, 9 or 10';

19 On page 2, subsection 3.4(c), by striking out the code  
20 reference '§20-5M-5(1)' and inserting in lieu thereof the  
21 code reference '§22-12-5(1)';

22 And,

23 On page 2, subsection 3.4(d), by striking out the  
24 words 'W. Va. Code §Chapter 22A, Article 3 or Chapter  
25 20, Article 5A' and inserting in lieu thereof the words 'W.  
26 Va. Code §22-3-2 et seq. or §22-11-2 et seq.' "

**§64-11-6. Solid waste management board.**

1 (a) The legislative rule relating to the solid waste man-  
2 agement board (disbursement of loans and grants to gov-  
3 ernmental agencies for the acquisition or construction of  
4 solid waste disposal projects, 54 CSR 1), effective the sev-  
5 enth day of June, one thousand nine hundred ninety-one,  
6 is reauthorized with the following amendments:

7 "On page 1, subsection 1.2, by striking out the code  
8 reference '§16-26-1 et seq.' and inserting in lieu thereof  
9 the code reference '§22C-3-1 et seq.';

10 On page 1, subsection 2.1.1, by striking out the code  
11 reference '§16-26-1 et seq.' and inserting in lieu thereof  
12 the code reference '§22C-3-1 et seq.';

13 On page 1, subsection 2.1.3, by striking out the code  
14 reference '§16-26-4' and inserting in lieu thereof the code  
15 reference '§22C-3-4';

16 And,

17 On page 4, subsection 3.5.2, by striking out the words  
18 'Department of Commerce, Labor and Environmental  
19 Resources' and inserting in lieu thereof the words 'Bureau  
20 of Environment'."

21 (b)The legislative rule relating to the solid waste man-  
22 agement board (the establishment of fee schedule and cost  
23 allocations applicable to the issuance of bonds by the West  
24 Virginia solid waste management board, 54 CSR 2), effec-

25 tive the seventeenth day of June, one thousand nine hun-  
26 dred ninety-one, is reauthorized with the following  
27 amendments:

28 "On page 1, subsection 1.2, by striking out the code  
29 reference '§16-26-1 et seq.' and inserting in lieu thereof  
30 the code references '§22C-3-1 et seq.';

31 On page 1, subsection 2.1.1, by striking out the code  
32 reference '§16-26-1 et seq.' and inserting in lieu thereof  
33 the code references '§22C-3-1 et seq.';

34 And,

35 On page 1, subsection 2.1.3, by striking out the code  
36 reference '§16-26-4' and inserting in lieu thereof the code  
37 reference '§22C-3-4'."

38 (c) The legislative rule relating to the solid waste man-  
39 agement board (the development of commercial solid  
40 waste facility siting plans, 54 CSR 4), effective the seven-  
41 teenth day of June, one thousand nine hundred  
42 ninety-one, is reauthorized with the following amend-  
43 ments:

44 "On page 1, subsection 1.1, by striking out the code  
45 reference '§20-9-12a' and inserting in lieu thereof the  
46 code reference '§22C-4-24';

47 On page 1, subsection 1.4, by striking out the code  
48 reference '§16-26-6' and inserting in lieu thereof the code  
49 reference '§22C-3-6' and by striking out the code refer-  
50 ence '§20-9-12a' and inserting in lieu thereof the code  
51 reference '§22C-4-24';

52 On page 1, subsection 2.1, by striking out the code  
53 reference '§20-5F-1 et seq.' and inserting in lieu thereof  
54 the code reference '§22-15-1 et seq.';

55 On page 1, subsection 2.2, by striking out the code  
56 reference '§20-9-3' and inserting in lieu thereof the code  
57 reference '§22C-4-3', by striking out the code reference  
58 '§20-9-4' and inserting in lieu thereof the code reference  
59 '§22C-4-4', and by striking out the code reference  
60 '§20-9-5a' and inserting in lieu thereof the code reference  
61 '§22C-4-6';

62 On page 1, subsection 2.3, by striking out the code  
63 reference '§16-26-4' and inserting in lieu thereof the code  
64 reference '§22C-3-4';

65 On page 1, subsection 2.4, by striking out the code  
66 reference '§20-9' and inserting in lieu thereof the code  
67 reference '§22C-4';

68 On page 2, subsection 2.17, by striking out the code  
69 reference '§20-9-12a' and inserting in lieu thereof the  
70 code reference '§22C-4-24';

71 On page 3, subsection 2.21, by striking out the code  
72 reference '§20-5A' and inserting in lieu thereof the code  
73 reference '§22-11', by striking out the code reference  
74 '§20-SE' and inserting in lieu thereof the code reference  
75 '§22-18', and by striking out the words 'Chapter 22B' and  
76 inserting in lieu thereof the words 'Chapter 22C';

77 And,

78 On page 4, subsection 5.1.2, by striking out the code  
79 reference '§20-9-7' and inserting in lieu thereof the code  
80 reference '§22C-4-8'."

**§64-11-7. Division of natural resources.**

1 (a) The legislative rule relating to the division of natu-  
2 ral resources (West Virginia wildlife management areas, 58  
3 CSR 6), effective the ninth day of May, one thousand nine  
4 hundred ninety-five, is reauthorized with the following  
5 amendments:

6 "Beginning on page 1, in the title, and continuing  
7 throughout the text of the rule, by striking out the series  
8 number '6' and inserting in lieu thereof the series number  
9 '43';

10 On page 1, subsection 2.7, by striking out the refer-  
11 ence '47 C.S.R. 11A' and inserting in lieu thereof the ref-  
12 erence '58 CSR 46';

13 And,

14 On page 2, subsection 3.7, by striking out the refer-  
15 ence '47 C.S.R. 11, 12 and 20' and inserting in lieu thereof  
16 the reference '58 CSR 45, 55 and 60'."

17 (b) The legislative rule relating to the division of  
18 natural resources (cooperation with federal government in  
19 management of federal lands within the state, 58 CSR 7),  
20 effective the third day of October, one thousand nine  
21 hundred eighty-three, is reauthorized with the following  
22 amendments:

23 "Beginning on page 1, in the title, and continuing  
24 throughout the text of the rule, by striking out the series  
25 number '7' and inserting in lieu thereof the series number  
26 '44';

27 And,

28 On page 1, in the title, by striking out the words 'DE-  
29 PARTMENT OF NATURAL RESOURCES' and inserting  
30 in lieu thereof the words 'DIVISION OF NATURAL RE-  
31 SOURCES'."

32 (c) The legislative rule relating to the division of natu-  
33 ral resources (rules and regulations governing shoreline  
34 camping on government owned reservoir areas in West  
35 Virginia, 58 CSR 8), effective the first day of January, one  
36 thousand nine hundred eighty-three, is reauthorized with  
37 the following amendments:

38 "Beginning on page 1, in the title, and continuing  
39 throughout the text of the rule, by striking out the words  
40 'DEPARTMENT OF NATURAL RESOURCES' and insert-  
41 ing in lieu thereof the words 'DIVISION OF NATURAL  
42 RESOURCES';

43 And,

44 Beginning on page 1, in the title, and continuing  
45 throughout the text of the rule, by striking out the series  
46 number '8' and inserting in lieu thereof the series number  
47 '30'."

48 (d) The legislative rule relating to the division of  
49 natural resources (regulations defining the terms to be  
50 used concerning all hunting and trapping regulations, 58  
51 CSR 11A), effective the first day of July, one thousand  
52 nine hundred ninety-three, is reauthorized with the follow-  
53 ing amendment:

54 "Beginning on page 1, in the title, and continuing  
55 throughout the text of the rule, by striking out the series  
56 number '11A' and inserting in lieu thereof the series num-  
57 ber '46'."

58 (e) The legislative rule relating to the division of natu-  
59 ral resources (special bear hunting rule, 58 CSR 11C),  
60 effective the ninth day of May, one thousand nine hun-  
61 dred ninety-five, is reauthorized with the following  
62 amendments:

63 "Beginning on page 1, in the title, and continuing  
64 throughout the text of the rule, by striking out the series  
65 number '11C' and inserting in lieu thereof the series num-  
66 ber '48';

67 On page 1, subsection 2.1, by striking out the refer-  
68 ence '58 C.S.R. 11A' and inserting in lieu thereof the refer-  
69 ence '58 CSR 46';

70 And,

71 On page 1, subsection 3.2, by striking out the refer-  
72 ence '58 C.S.R. 11' and inserting in lieu thereof the refer-  
73 ence '58 CSR 45'."

74 (f) The legislative rule relating to the division of natu-  
75 ral resources (general hunting regulations, 58 CSR 11D),  
76 effective the first day of July, one thousand nine hundred  
77 ninety-three, is reauthorized with the following amend-  
78 ments:

79 "Beginning on page 1, in the title, and continuing  
80 throughout the text of the rule, by striking out the series  
81 number '11D' and inserting in lieu thereof the series num-  
82 ber '49';

83 And,

84 On page 1, subsection 2.1, by striking out the refer-  
85 ence '58 C.S.R. 11A' and inserting in lieu thereof the refer-  
86 ence '58 CSR 46'."

87 (g) The legislative rule relating to the division of  
88 natural resources (deer hunting regulations, 58 CSR 11E),  
89 effective the first day of July, one thousand nine hundred  
90 ninety-three, is reauthorized with the following amend-  
91 ments:

92 "Beginning on page 1, in the title, and continuing  
93 throughout the text of the rule, by striking out the series  
94 number '11E' and inserting in lieu thereof the series num-  
95 ber '50';

96 On page 1, subsection 2.1, by striking out the refer-  
97 ence '47 C.S.R. 11A' and inserting in lieu thereof the refer-  
98 ence '58 CSR 46';

99 On page 1, subsection 3.1, by striking out the refer-  
100 ence '47 C.S.R. 11' and inserting in lieu thereof the refer-  
101 ence '58 CSR 45' in each of the two occurrences;

102 And,

103 On page 1, subsection 3.6, by striking out the refer-  
104 ence '47 C.S.R. 11' and inserting in lieu thereof the refer-  
105 ence '58 CSR 45'."

106 (h) The legislative rule relating to the division of  
107 natural resources (wild turkey regulations, 58 CSR 11F),  
108 effective the first day of July, one thousand nine hundred  
109 ninety-three, is reauthorized with the following amend-  
110 ments:

111 "Beginning on page 1, in the title, and continuing  
112 throughout the text of the rule, by striking out the series  
113 number '11F' and inserting in lieu thereof the series num-  
114 ber '51';

115 And,

116 On page 1, subsection 2.1, by striking out the refer-  
117 ence '47 C.S.R. 11A' and inserting in lieu thereof the refer-  
118 ence '58 CSR 46'."

119 (i) The legislative rule relating to the division of natu-  
120 ral resources (wild boar hunting regulations, 58 CSR 11G),  
121 effective the ninth day of May, one thousand nine hun-  
122 dred ninety-five, is reauthorized with the following  
123 amendments:

124 "Beginning on page 1, in the title, and continuing  
125 throughout the text of the rule, by striking out the series  
126 number '11G' and inserting in lieu thereof the series num-  
127 ber '52';

128       And,

129       On page 1, subsection 2.1, by striking out the refer-  
130       ence '58 C.S.R. 11A' and inserting in lieu thereof the refer-  
131       ence '58 CSR 46'."

132       (j) The legislative rule relating to the division of natu-  
133       ral resources (general trapping regulations, 58 CSR 11H),  
134       effective the first day of July, one thousand nine hundred  
135       ninety-three, is reauthorized with the following amend-  
136       ments:

137       "Beginning on page 1, in the title, and continuing  
138       throughout the text of the rule, by striking out the series  
139       number '11H' and inserting in lieu thereof the series num-  
140       ber '53';

141       On page 1, subsection 2.1, by striking out the refer-  
142       ence '47 C.S.R. 11A' and inserting in lieu thereof the refer-  
143       ence '58 CSR 46';

144       And,

145       On page 2, subsection 3.17, by striking out the refer-  
146       ence '47 C.S.R. 11' and inserting in lieu thereof the refer-  
147       ence '58 CSR 45'."

148       (k) The legislative rule relating to the division of  
149       natural resources (dog training regulations, 58 CSR 11I),  
150       effective the first day of July, one thousand nine hundred  
151       ninety-three, is reauthorized with the following amend-  
152       ments:

153       "Beginning on page 1, in the title, and continuing  
154       throughout the text of the rule, by striking out the series  
155       number '11I' and inserting in lieu thereof the series num-  
156       ber '54';

157       And,

158       On page 1, subsection 2.1, by striking out the refer-  
159       ence '47 C.S.R. 11A' and inserting in lieu thereof the refer-  
160       ence '58 CSR 46'."

161       (l) The legislative rule relating to the division of natu-  
162       ral resources (special migratory bird hunting regulations,  
163       58 CSR 12A), effective the first day of July, one thousand  
164       nine hundred ninety-three, is reauthorized with the follow-  
165       ing amendments:

166 "Beginning on page 1, in the title, and continuing  
167 throughout the text of the rule, by striking out the series  
168 number '12A' and inserting in lieu thereof the series num-  
169 ber '56';

170 And,

171 On page 1, subsection 2.6, by striking out the refer-  
172 ence '47 C.S.R. 12' and inserting in lieu thereof the refer-  
173 ence '58 CSR 55'."

174 (m) The legislative rule relating to the division of  
175 natural resources (transporting and selling wildlife pelts,  
176 58 CSR 16), effective the first day of May, one thousand  
177 nine hundred ninety, is reauthorized with the following  
178 amendments:

179 "Beginning on page 1, in the title, and continuing  
180 throughout the text of the rule, by striking out the word  
181 'Department' and inserting in lieu thereof the word 'Divi-  
182 sion';

183 Beginning on page 1, subsection 2.8, and continuing  
184 throughout the text of the rule, by striking out the words  
185 'Series 16A' and inserting in lieu thereof the words 'Series  
186 17';

187 Beginning on page 2, subsection 4.2, and continuing  
188 throughout the text of the rule, immediately following the  
189 word 'his', by inserting the words 'or her';

190 On page 1, subsection 2.8, by striking out the words  
191 'Title 47' and inserting in lieu thereof the words 'Title 58';

192 And,

193 On page 1, subsection 2.8, by striking out the refer-  
194 ence '47 CSR 16A' and inserting in lieu thereof the refer-  
195 ence '58 CSR 17'."

196 (n) The legislative rule relating to the division of  
197 natural resources (special fishing rule, 58 CSR 21), effec-  
198 tive the ninth day of May, one thousand nine hundred  
199 ninety-five, is reauthorized with the following amend-  
200 ments:

201 "Beginning on page 1, in the title, and continuing  
202 throughout the text of the rule, by striking out the series

203 number '21' and inserting in lieu thereof the series number  
204 '61';

205 And,

206 On page 1, subsection 1.5, by striking out the refer-  
207 ence '58 C.S.R. 20' and inserting in lieu thereof the refer-  
208 ence '58 CSR 60'."

209 (o) The legislative rule relating to the division of  
210 natural resources (catching and selling bait fish, 58 CSR  
211 22), effective the first day of June, one thousand nine  
212 hundred eighty-nine, is reauthorized with the following  
213 amendments:

214 "Beginning on page 1, in the title, and continuing  
215 throughout the text of the rule, by striking out the series  
216 number '22' and inserting in lieu thereof the series number  
217 '62';

218 And,

219 On page 2, subsection 8.1, by striking out the refer-  
220 ence '47 C.S.R. 20' and inserting in lieu thereof the refer-  
221 ence '58 CSR 60'."

222 (p) The legislative rule relating to the division of  
223 natural resources (point system for the revocation of hunt-  
224 ing and fishing licenses, 58 CSR 24), effective the first day  
225 of January, one thousand nine hundred eighty-three, is  
226 reauthorized with the following amendments:

227 "Beginning on page 1, in the title, and continuing  
228 throughout the text of the rule, by striking out the word  
229 'Department' and inserting in lieu thereof the word 'Divi-  
230 sion';

231 On page 1, subsection 6.1, immediately preceding the  
232 word 'Department' by striking out the word 'the';

233 And,

234 On page 1, subsection 6.3, immediately following the  
235 word 'his', by inserting the words 'or her'."

236 (q) The legislative rule relating to the division of  
237 natural resources (special motorboating regulations, 58  
238 CSR 25C), effective the tenth day of May, one thousand

239 nine hundred ninety-two, is reauthorized with the follow-  
240 ing amendment:

241 "Beginning on page 1, in the title, and continuing  
242 throughout the text of the rule, by striking out the series  
243 number '25C' and inserting in lieu thereof the series num-  
244 ber '27'."

245 (r) The legislative rule relating to the division of natu-  
246 ral resources (special requirements concerning boating, 58  
247 CSR 25D), effective the first day of October, one thousand  
248 nine hundred ninety-three, is reauthorized with the follow-  
249 ing amendments:

250 "Beginning on page 1, in the title, and continuing  
251 throughout the text of the rule, by striking out the series  
252 number '25D' and inserting in lieu thereof the series num-  
253 ber '28';

254 And,

255 On page 1, subsection 2.1, by striking out the refer-  
256 ence '47 CSR 25' and inserting in lieu thereof the refer-  
257 ence '58 CSR 25'."

258 (s) The legislative rule relating to the division of natu-  
259 ral resources (commercial whitewater outfitters, 58 CSR  
260 27), effective the seventh day of April, one thousand nine  
261 hundred ninety-four, is reauthorized with the following  
262 amendments:

263 "Beginning on page 1, in the title, and continuing  
264 throughout the text of the rule, by striking out the series  
265 number '27' and inserting in lieu thereof the series number  
266 '12';

267 Beginning on page 2, subsection 4.3, and continuing  
268 throughout the text of the rule, by inserting the words 'or  
269 her' immediately following the word 'him';

270 And,

271 Beginning on page 4, subsection 7.2, and continuing  
272 throughout the text of the rule, by inserting the words 'or  
273 her' immediately following the word 'his'."

274 (t) The legislative rule relating to the division of natu-

275 ral resources (recycling assistance fund grant program, 58  
276 CSR 43), effective the thirtieth day of June, one thousand  
277 nine hundred ninety-three, is reauthorized with the follow-  
278 ing amendment:

279 "Beginning on page 1, in the title, and continuing  
280 throughout the text of the rule, by striking out the series  
281 number '43' and inserting in lieu thereof the series number  
282 '5'."

283 (u) The legislative rule relating to the division of  
284 natural resources (conservation officers - supplemental  
285 pay in lieu of overtime, 58 CSR 45), effective the first day  
286 of January, one thousand nine hundred eighty-three, is  
287 reauthorized with the following amendments:

288 "Beginning on page 1, in the title, and continuing  
289 throughout the text of the rule, by striking out the words  
290 'DEPARTMENT OF NATURAL RESOURCES' and insert-  
291 ing in lieu thereof the words 'DIVISION OF NATURAL  
292 RESOURCES';

293 And,

294 Beginning on page 1, in the title, and continuing  
295 throughout the text of the rule, by striking out the series  
296 number '45' and inserting in lieu thereof the series number  
297 '13'."

298 (v) The legislative rule relating to the division of natu-  
299 ral resources (regulations for handling and firing of fire-  
300 arms, 58 CSR 46), effective the first day of January, one  
301 thousand nine hundred eighty-three, is reauthorized with  
302 the following amendments:

303 "Beginning on page 1, in the title, and continuing  
304 throughout the text of the rule, by striking out the words  
305 'DEPARTMENT OF NATURAL RESOURCES' and insert-  
306 ing in lieu thereof the words 'DIVISION OF NATURAL  
307 RESOURCES';

308 Beginning on page 1, in the title, and continuing  
309 throughout the text of the rule, by striking out the series  
310 number '46' and inserting in lieu thereof the series number  
311 '14';

312 And,

313 On page 1, subsection 1.2, by striking out the code  
314 reference '61-7-2(e)' and inserting in lieu thereof the code  
315 reference '61-7-4(a)(8)'."

316 (w) The legislative rule relating to the division of  
317 natural resources (revocation of hunting and fishing li-  
318 censes, 58 CSR 49), effective the first day of August, one  
319 thousand nine hundred ninety-three, is reauthorized with  
320 the following amendments:

321 "Beginning on page 1, in the title, and continuing  
322 throughout the text of the rule, by striking out the series  
323 number '49' and inserting in lieu thereof the series number  
324 '23';

325 And,

326 Beginning on page 2, subsection 3.3, and continuing  
327 throughout the text of the rule, by inserting the words 'or  
328 her' immediately following the word 'his'."

329 (x) The legislative rule relating to the division of  
330 natural resources (hunting or fishing outfitters and guides,  
331 58 CSR 50), effective the first day of April, one thousand  
332 nine hundred eighty-eight, is reauthorized with the follow-  
333 ing amendments:

334 "Beginning on page 1, in the title, and continuing  
335 throughout the text of the rule, by striking out the words  
336 'DEPARTMENT OF NATURAL RESOURCES' and insert-  
337 ing in lieu thereof the words 'DIVISION OF NATURAL  
338 RESOURCES';

339 Beginning on page 1, in the title, and continuing  
340 throughout the text of the rule, by striking out the series  
341 number '50' and inserting in lieu thereof the series number  
342 '11';

343 Beginning on page 1, subsection 2.1, and continuing  
344 throughout the text of the rule, by inserting the words 'or  
345 her' immediately following the word 'his';

346 And,

347 On page 1, subsection 3.5, by striking out the word

348 'Department's' and inserting in lieu thereof the word 'Divi-  
349 sion's'."

**§64-11-8. Agriculture.**

1 (a) The legislative rule relating to the West Virginia  
2 department of agriculture (primary and secondary con-  
3 tainment of fertilizers, 61 CSR 6B), effective the first day  
4 of July, one thousand nine hundred ninety-three, is  
5 reauthorized with the following amendments:

6 "On page 1, subsection 1.2, by striking out the code  
7 reference '§20-5M-5-c' and inserting in lieu thereof the  
8 code reference '§22-12-5(c)';

9 On page 3, subsection 4.1.8, by striking out the code  
10 reference '§20-5M-10' and inserting in lieu thereof the  
11 code reference '§22-12-10';

12 On page 12, subsection 13.1, by striking out the code  
13 references '§§20-5M-10 and 20-5M-11' and inserting in  
14 lieu thereof the code references '§22-12-10 and  
15 §22-12-11';

16 On page 12, subsection 14.1, by striking out the code  
17 reference '§20-5M-10a' and inserting in lieu thereof the  
18 code reference '§22-12-10a';

19 On page 12, subsection 14.1, by striking out the code  
20 reference '§20-5M-10c' and inserting in lieu thereof the  
21 code reference '§22-12-10c';

22 And,

23 On page 12, subsection 14.1, by striking out the code  
24 reference '§20-5M-1 et.seq.' and inserting in lieu thereof  
25 the code reference '§22-12-1 et seq.' "

26 (b) The legislative rule relating to the West Virginia  
27 department of agriculture (general groundwater protection  
28 rules for fertilizer and manures, 61 CSR 6C), effective the  
29 first day of July, one thousand nine hundred ninety-three,  
30 is reauthorized with the following amendments:

31 "On page 1, subsection 1.2, by striking out the code  
32 reference '§20-5M-5-c' and inserting in lieu thereof the  
33 code reference '§22-12-5(c)';

34 On page 3, subsection 5.1.8, by striking out the code  
35 reference 'WV Code 20-5M-1 et seq.' and inserting in lieu  
36 thereof the code reference 'W. Va. Code §22-12-1 et seq.';

37 On page 3, subsection 5.1.12, by striking out the code  
38 reference '§20-5M-10' and inserting in lieu thereof the  
39 code reference '§22-12-10';

40 On page 4, subsection 7.1, by striking out the code  
41 reference '§20-5M et seq.' and inserting in lieu thereof the  
42 code reference '§22-12 et seq.';

43 On page 4, subsection 7.1, by striking out the code  
44 reference '§20-5M-10' and inserting in lieu thereof the  
45 code reference '§22-12-10';

46 On page 4, subsection 8.1, by striking out the code  
47 references '§§20-5M-10 and 20-5M-11' and inserting in  
48 lieu thereof the code reference '§22-12-10 and  
49 §22-12-11';

50 And,

51 On page 4, subsection 8.2, by striking out the code  
52 reference '§20-5M et seq.' and inserting in lieu thereof the  
53 code reference '§22-12 et seq.' "

54 (c) The legislative rule relating to the West Virginia  
55 department of agriculture (general groundwater protection  
56 rules for pesticides, 61 CSR 12G), effective the first day of  
57 July, one thousand nine hundred ninety-three, is  
58 reauthorized with the following amendments:

59 "Beginning on page 3, subsection 5.1.14, and continu-  
60 ing throughout the text of the rule, by striking out the  
61 code reference '§20-5M-10' and inserting in lieu thereof  
62 the code reference '§22-12-10';

63 On page 1, subsection 1.2, by striking out the code  
64 references '§§19-16A-4-6(N) and 20-5M-5-c' and insert-  
65 ing in lieu thereof the code references '§19-16A-4(6)(N)  
66 and §22-12-5(c)';

67 And,

68 On page 3, subsection 5.1.9, by striking out the code  
69 reference '§20-5M-1 et seq.' and inserting in lieu thereof  
70 the code reference '§22-12-1 et seq.' "

71 (d) The legislative rule relating to the West Virginia  
72 department of agriculture (non-bulk pesticide rules for  
73 permanent operational areas, 61 CSR 12I), effective the  
74 first day of July, one thousand nine hundred ninety-three,  
75 is reauthorized with the following amendment:

76 "On page 3, subsection 5.1, by striking out the code  
77 reference '§20-5M-1 et seq.' and inserting in lieu thereof  
78 the code reference '§22-12-1 et seq.' "

79 (e) The legislative rule relating to the West Virginia  
80 department of agriculture (generic state management plan  
81 for pesticides and fertilizers in groundwater, 61 CSR 22),  
82 effective the first day of November, one thousand nine  
83 hundred ninety-two, is reauthorized with the following  
84 amendments:

85 "Beginning on page 2, subsection 4.1.a, and continu-  
86 ing throughout the text of the rule, by striking out the  
87 words 'Division of Natural Resources' and inserting in lieu  
88 thereof the words 'Department of Environmental Protec-  
89 tion';

90 On page 1, subsection 1.2, by striking out the code  
91 references '§§19-16A-4 and 20-5M-5' and inserting in  
92 lieu thereof the code references '§19-16A-4 and  
93 §22-12-5';

94 On page 2, subsection 4.1.a, by striking out the code  
95 reference '§20-5M-1 et seq.' and inserting in lieu thereof  
96 the code reference '§22-12-1 et seq.';

97 On page 2, subsection 4.3.a, by striking out the words  
98 'Water Resources Section' and inserting in lieu thereof the  
99 words 'Office of Water Resources';

100 On page 3, subsection 4.6, by striking out the words  
101 'State Department of Natural Resources' and inserting in  
102 lieu thereof the words 'State Department of Environmental  
103 Protection';

104 On page 4, subsection 5.1.b.A., by striking out the  
105 code reference '§20-5M-1 et seq.' and inserting in lieu  
106 thereof the code reference '§22-12-1 et seq.';

107 On page 4, subsection 5.1.b.D., by striking out the

108 code reference '§20-5F-1 et seq.' and inserting in lieu  
109 thereof the code reference '§22-15-1 et seq.';

110 On page 5, subsection 7.5, by striking out the words  
111 'Department of Natural Resources' and inserting in lieu  
112 thereof the words 'Department of Environmental Protec-  
113 tion';

114 On page 5, subsection 7.5, by striking out the words  
115 'Soil Conservation Service, Agricultural Stabilization and  
116 Conservation Service' and inserting in lieu thereof the  
117 words 'Environmental Resource Conservation Service,  
118 Consolidated Farm Service Agency';

119 On page 6, subsection 8.2.b., by striking out the word  
120 'SCS' and inserting in lieu thereof the words 'Environmen-  
121 tal Resource Conservation Service';

122 And,

123 On page 7, subsection 9.5.b.A., by striking out the  
124 word 'SCS' and inserting in lieu thereof the words 'Envi-  
125 ronmental Resource Conservation Service'."

126 (f) The legislative rule relating to the West Virginia  
127 department of agriculture (best management practices for  
128 fertilizers and manures, 61 CSR 22B), effective the sixth  
129 day of December, one thousand nine hundred ninety-two,  
130 is reauthorized with the following amendment:

131 "On page 1, subsection 1.2, by striking out the code  
132 reference '§20-5M-5-c' and inserting in lieu thereof the  
133 code reference '§22-12-5(c)'."

**§64-11-9. Division of banking.**

1 (a) The legislative rule relating to the division of bank-  
2 ing (regulations pertaining to the West Virginia consumer  
3 credit and protection act and the money and interest arti-  
4 cle of chapter forty-seven, 106 CSR 1), effective the  
5 twenty-fourth day of April, one thousand nine hundred  
6 ninety-two, is reauthorized with the following amend-  
7 ments:

8 "On page 2, subsection 2.3(e), by striking out the code  
9 reference '§46A-1-102(24)(a)' and inserting in lieu there-  
10 of the code reference '§46A-1-102(26)(a)', and by strik-

11 ing out the code reference '§46A-1-102(40)' and inserting  
12 in lieu thereof the code reference '§46A-1-102(42)';

13 And,

14 On page 2, subsection 2.10(a)(2), by striking out the  
15 code reference 'U.S.C. Title 29' and inserting in lieu there-  
16 of the code reference 'U.S.C. Title 19'."

17 (b) The legislative rule relating to the division of  
18 banking (legislative rule pertaining to the installation,  
19 operation and sharing of customer bank communication  
20 terminals and the utilization of nonexclusive access inter-  
21 change system, 106 CSR 7), effective the eleventh day of  
22 May, one thousand nine hundred eighty-three, is  
23 reauthorized with the following amendments:

24 "On page 2, subsection 2.4, in the heading, by striking  
25 out the word 'Bankin', and inserting in lieu thereof the  
26 word 'Banking';

27 And,

28 On page 2, subsection 3.4, in the heading, by striking  
29 out the word 'Bankin', and inserting in lieu thereof the  
30 word 'Banking'."

31 (c) The legislative rule relating to the division of bank-  
32 ing (regulations pertaining to the West Virginia consumer  
33 credit and protection act, 106 CSR 8), effective the  
34 twenty-third day of April, one thousand nine hundred  
35 eighty-two, is reauthorized with the following amend-  
36 ments:

37 "On page 1, subsection 1.2, by striking out the code  
38 reference '§31A-3-4(c)(12)' and inserting in lieu thereof  
39 the code reference '§31A-2-4(c)(12)';

40 On page 1, subsection 2.1, by striking out the code  
41 reference 'West Virginia Code subsection (23), section one  
42 hundred two, article one, chapter forty-six-a' and inserting  
43 in lieu thereof the code reference 'W. Va. Code  
44 §46A-1-102(26)';

45 On page 1, subsection 2.1, by striking out the code  
46 reference 'West Virginia Code subsection (39), section one  
47 hundred two, article one, chapter forty-six-a' and inserting

48 in lieu thereof the code reference 'W. Va. Code  
49 §46A-1-102(42)';

50 On page 1, subsection 2.1, by striking out the code  
51 reference 'West Virginia Code subsection (14), section one  
52 hundred two, article one, chapter forty-six-a' and inserting  
53 in lieu thereof the code reference 'W. Va. Code  
54 §46A-1-102(15)';

55 And,

56 On page 1, subsection 2.1, by striking out the code  
57 reference 'West Virginia Code subsection (12), section one  
58 hundred two, article one, chapter forty-six-a' and inserting  
59 in lieu thereof the code reference 'W. Va. Code  
60 §46A-1-102(13)'."

**§64-11-10. Insurance commissioner.**

1 The legislative rule relating to the insurance commis-  
2 sioner (insurance holding company systems reporting  
3 forms, 114 CSR 35), effective the thirteenth day of April,  
4 one thousand nine hundred ninety-four, is reauthorized  
5 with the following amendment:

6 "On page 5, subsection 7.1, by striking out the words  
7 'Section 2(b) of Article 27, Chapter 33 of the Code' and  
8 inserting in lieu thereof the code reference 'W. Va. Code  
9 §33-27-2a'."

**§64-11-11. Criminal justice and highway safety division, Gov-  
ernor's committee on crime, delinquency and  
correction.**

1 The legislative rule relating to the criminal justice and  
2 highway safety division, Governor's committee on crime,  
3 delinquency and correction (police response to domestic  
4 violence, 149 CSR 3), effective the fourteenth day of  
5 April, one thousand nine hundred ninety-five, is  
6 reauthorized with the following amendments:

7 "On page 1, subsection 3.1, by striking out the words  
8 'Division of Public Safety' and inserting in lieu thereof the  
9 words 'State Police';

10 And,

11 On page 5, subsection 5.4.10, by striking out the code  
12 reference '§61-1C-17c' and inserting in lieu thereof the  
13 code reference '§62-1C-17c.' "

**§64-11-12. Division of highways.**

1 The legislative rule relating to the division of highways  
2 (transportation of hazardous wastes upon the roads and  
3 highways, 157 CSR 7), effective the twenty-second day of  
4 April, one thousand nine hundred eighty-eight, is  
5 reauthorized with the following amendment:

6 "Beginning on page 1, in the title, and continuing  
7 throughout the text of the rule, by striking out the words  
8 'Department of Highways' and inserting in lieu thereof the  
9 words 'Division of Highways';

10 Beginning on page 1, subsection 1.1, and continuing  
11 throughout the text of the rule, by striking out the words  
12 'Department of Natural Resources' and inserting in lieu  
13 thereof the words 'Division of Environmental Protection';

14 On page 1, subsection 1.5, by striking out the words  
15 'Highway Services' and inserting in lieu thereof the word  
16 'Enforcement';

17 On page 4, subsection 6.3.1, by striking out the words  
18 'Washington Street' and inserting in lieu thereof the words  
19 'Kanawha Boulevard', and by striking out the telephone  
20 number '348-3028' and inserting in lieu thereof the tele-  
21 phone number '558-3028';

22 And,

23 On page 4, subsection 6.3.2, by striking out the words  
24 'Division of Waste Management' and inserting in lieu  
25 thereof the words 'Office of Waste Management'."

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

*Randy Schoonover*  
Chairman, Senate Committee

*Randy Seavint*  
Chairman, House Committee

Originating in the House.

Takes effect ninety days from passage.

*Charles E. Allen*  
Clerk of the Senate

*Gregory M. Gray*  
Clerk of the House of Delegates

*Carl By Tomalini*  
President of the Senate

*Carl Albert*  
Speaker of the House of Delegates

The within *is approved* this the *1st*  
day of *April*, 1996

*Garston Caperton*  
Governor

PRESENTED TO THE

GOVERNOR

Date

3/28/96

Time

10:01am